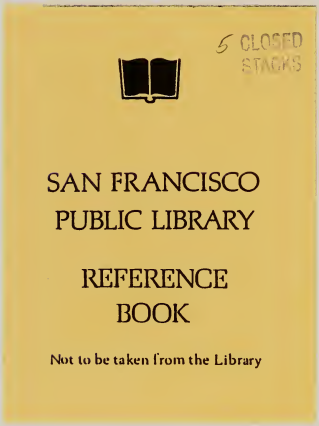
DOCUMENTS DEPARTMENT



SEP 0 6 1996

Digitized by the Internet Archive
in 2013

http://archive.org/details/minutesofmeeting1992sanf

SF
SF
30
3
1/8/92

# MINUTES OF THE
# MEETING OF THE BOARD OF PERMIT APPEALS
# WEDNESDAY, JANUARY 8, 1992
# 5:00 P.M., ROOM 282, CITY HALL

DOCUMENTS DEPT.
JAN 14 1992
SAN FRANCISCO
PUBLIC LIBRARY

**PRESENT:** President Esther Marks, Vice President Beverly Prior, Commissioners Ralph House and Paul Melbostad.

Robert Passmore, Zoning Administrator for Department of City Planning; Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection; Judith Boyajian, Deputy City Attorney; and Robert Feldman, Executive Director for the Board.

Doris Levine, Official Court Reporter.

(1) **MATTERS FOR CONSIDERATION, REQUESTS FOR REHEARING AND OTHER CORRESPONDENCE:**

**REQUEST FOR JURISDICTION BEYOND TEN-DAY APPEAL PERIOD:**

**ITEM A:** Letter from Paul J. Growald, requesting that the Board take jurisdiction over Variance Decision Case No. 91.165V granting side yard, minimum lot area and minimum lot width variances for property located at 123 - 125 Edgewood Avenue.

| | |
|---|---|
| Date of decision | August 9, 1991 |
| Appeal period ended | August 19, 1991 |
| Request for jurisdiction | December 20, 1991 |

**ACTION:** After discussion, upon motion by Commissioner House, the Board voted 4-0 to **DENY** the request for jurisdiction.

**SPEAKERS:** Robert Passmore, Zoning Administrator for Department of City Planning; and Sally Mann, property owner.

**REQUEST FOR REHEARING:**

**ITEM B:** Letter from Aile Phan, appellant, requesting rehearing of Appeal No. 91-218, 2126 - 27th Avenue. Hearing December 18, 1991. After discussion, upon motion by Vice President Prior, the Board voted 4-1 (President Marks dissented) to **UPHOLD** the department and **GRANT** the permit.

**ACTION:** After discussion, upon motion by Commissioner House, the Board voted 4-0 to **DENY** the request for rehearing.

(2) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKERS:** None.

**APPEAL NO. 91-228**

(3) DARRELL DORSEY, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Imposition of Penalty on
[November 22, 1991, for work
[done at 134 Haight Street.
[APPLICATION NO. 9122295.
[FOR HEARING TODAY.

**ACTION:** **CONTINUED** to meeting on January 15, 1992 at hearing to allow submission of verification letter from Brittania, Inc.

**SPEAKERS:** Darrell Dorsey, appellant; Marjorie Dorsey, co-owner; Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection; and Le Andre Davis, design consultant.

**APPEAL NO. 91-229**

(4) ABE KAYOUMI, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Imposition of Penalty on
[November 21, 1991, for work
[done at 2418 - 46th Avenue.
[ELEC. PERMIT NO. E94922.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Marks, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $65.25 for a total of $130.50.

**SPEAKERS:** Abe Kayoumi, appellant; and Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 91-234**

(5) JOSEPH A. TANZI, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Imposition of Penalty on
[December 3, 1991, for work
[done at 2712 California Street.
[APPLICATION NO. 9105877.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner House, the Board voted 4-0 to **UPHOLD** the department and **SUSTAIN** the penalty.

**SPEAKERS:** Joseph Tanzi, appellant; and Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection.



4 37935 SFPL; ELDNO JRB
115 SF 08/93/92

**APPEAL NO. 91-226**

(6) GANNETT TRANSIT SHELTER COMPANY OF SAN FRANCISCO, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
STREET USE MGMT. DISAPPROVAL

[Revocation by Department of
[Public Works on November 14,
[1991, of Transit Shelter permit
[at the NW corner of Geary/Taylor
[Streets (INTERSECTION TO275).
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Melbostad, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** that the shelter shall be changed to a canopy type for 90 days beginning February 1, 1992, if at the end of this period there are complaints from the neighbors, the shelter shall be removed.

**SPEAKERS:** Lewis Lillian, appellant; Jacob Szeto, Department of Public Works; Virginia Conway, John Walter, Mark Backus, Bob Current, Daniel Mendoza, Sandra Driggers and Oscar Maldor, in opposition.

**APPEAL NO. 91-223**

(7) THANG XUONG MARKET, Appellant
vs.
DEPT. PUBLIC HEALTH, Respondent
CITY PLANNING DISAPPROVAL

[Denial on November 8, 1991,
[of Health Permit Application
[referral for food storage
[warehouse in a RC-4 District
[at 839 Larkin Street.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner House, the Board voted 4-0 to **UPHOLD** the department with the **CONDITION** that the Department of City Planning work with the Department of Public Works to help find a new location for the appellant.

**SPEAKERS:** Robert Passmore, Zoning Administrator for the Department of City Planning; Lisa Wynn, appellant; and Larry Wasserman, property owner.

**The Board recessed from 7:28 to 7:43 p.m.**

**APPEAL NO. 91-231**

(8) KELI NOTON, Appellant
vs.
DEPT. PUBLIC HEALTH, Respondent
CITY PLANNING DISAPPROVAL

[Denial on November 12, 1991,
[of Health Permit Application
[referral for a self-service
[restaurant as a Limited Commer-
[cial Use in a RH-2 District
[at 3998 Army Street.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Melbostad, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** that there shall be no increase in floor area and no more than four tables.

**SPEAKERS:** Robert Passmore, Zoning Administrator for Department of City Planning; Keli Noton, appellant; Doug Andelin and Rob Batterton, in favor.

**APPEAL NO. V91-225**

(9) RICHARD F. DOLE, Appellant
vs.
ZONING ADMINISTRATOR, Respondent

[Protesting granting on November 12, 1991, to Gary Bell, of Minimum Lot Area, Lot Frontage, and Rear Yard Variances sought for property located at 221 Greenwich Street and 32 - 34 Napier Lane. VARIANCE CASE NO. 91.260V. FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Vice President Prior, the Board voted 1-3 (President Marks, Commissioners House and Melbostad dissented) to **UPHOLD** the department. Four votes are necessary to overrule a department.

**SPEAKERS:** Richard Dole, appellant; Robert Passmore, Zoning Administrator; Michael Merrill, property owner's son; Glenn Kersey, Jill Fenton, Pam Allsebrook, Suzanne Egan, Harry Irving and Margaret Allsebrook, in opposition; and Gary Bell, agent for property owner.

(10) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKERS:** None.

There being no further business, President Marks adjourned the meeting at 8:40 p.m.

Robert H. Feldman
Executive Director

Transcripts of these hearings may be obtained directly from Doris Levine, the Official Court Reporter, (415) 456-9899.

City Librarian
Attn: Jerry Roth
Document Section, Main Library
*** (2) copies

SF
SF
30
3
1/15/92

# MINUTES OF THE
# MEETING OF THE BOARD OF PERMIT APPEALS
## WEDNESDAY, JANUARY 15, 1992
## 5:00 P.M., ROOM 282, CITY HALL

DOCUMENTS DEPT.
FEB 3 - 1992
SAN FRANCISCO
PUBLIC LIBRARY

**PRESENT:** President Esther Marks, Vice President Beverly Prior, Commissioners Ralph House and Paul Melbostad.

Robert Passmore, Zoning Administrator for Department of City Planning; Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection; Judith Boyajian, Deputy City Attorney; and Robert Feldman, Executive Director for the Board.

Doris Levine, Official Court Reporter.

(1) **MATTERS FOR CONSIDERATION, REQUESTS FOR REHEARING AND OTHER CORRESPONDENCE:**

**REQUEST FOR REHEARING:**

**ITEM A:** Letter from Harry Huey, appellant, requesting rehearing of Appeal No. 91-211, 3810-12 - 19th Street. Hearing December 18, 1991. After discussion, upon motion by Commissioner Makras, the Board voted 5-0 to **UPHOLD** the department and **SUSTAIN** the penalty.

**ACTION:** After discussion, upon motion by Commissioner House, the Board voted 4-0 to **DENY** the request for rehearing.

(2) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKERS:** None.

**APPEAL NO. 91-228**

(3) DARRELL DORSEY, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Imposition of Penalty on
[November 22, 1991, for work
[done at 134 Haight Street.
[APPLICATION NO. 9122295.
[FOR FURTHER HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner House, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $162.00 for a total of $324.00.

**SPEAKERS:** None. This appeal had been continued from the meeting of January 8, 1992 so that documentary evidence could be submitted to the Board to substantiate testimony from the appellant. The evidence was received and considered by the Board.

**APPEAL NO. 91-227**

(4) T. NICOLETTE TOUSSAINT, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Appealing for Refund of
[Penalty imposed on November
[12, 1991, for work done
[at 136 Downey Street.
[APPLICATION NO. 9119988.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Melbostad, the Board voted 4-0 to **UPHOLD** the department and **SUSTAIN** the penalty.

**SPEAKERS:** Nicolette Toussaint, appellant; and Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 91-238**

(5) PETER K. KUTULAS, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Appealing for Refund of
[Penalty imposed on December
[10, 1991, for work done at
[236 Urbano Drive.
[APPLICATION NO. 9122506.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Vice President Prior, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $96.85 for a total of $193.70.

**SPEAKERS:** Peter Kutulas, appellant; and Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 91-239**

(6) ELIZABETH H. McCUBBIN, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Appealing for Refund of
[Penalty imposed on December
[12, 1991, for work done at
[at 1177 California Street.
[APPLICATION NO. 9120280.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Vice President Prior, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $444.60 for a total of $889.20.

**SPEAKERS:** Elizabeth McCubbin, appellant; and Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 91-240**

(7) JEFFREY POLLACK, Appellant
vs.
DEPT. PUBLIC WORKS, Appellant
PUBLIC HEALTH APPROVAL

[Appealing for Refund of
[Penalty imposed on December
[11, 1991, for work done at
[2001 Chestnut Street.
[APPLICATION NO. 9122507.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner House, the Board voted 2-2 (Vice President Prior and Commissioner Melbostad dissented) to **UPHOLD** the department. Four votes are needed to overrule a department and the penalty is **SUSTAINED**.

**SPEAKERS:** Jeffrey Pollack, appellant; and Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 91-241**

(8) SUSAN MA, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Appealing for Refund of
[Penalty imposed on December
[8, 1991, for work done at
[5727 - 29 Geary Blvd.
[APPLICATION NO. 9120245.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Vice President Prior, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $78.98 for a total of $157.96.

**SPEAKERS:** Susan Ma, appellant; and Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 91-242**

(9) DENNY & ANGELA LAM, Appellants
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL

[Denial on December 5, 1991,
[by the City Planning Commission
[of an alteration building
[permit to expand an one-
[family into a two-family
[house at 2431 Balboa Street.
[APPLICATION NO. 9114942.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner House, the Board voted 4-0 to **OVERRULE** the Planning Commission with the following **CONDITIONS:** (1) deletion of all storage spaces greater than 150 square feet; (2) no more than two water heaters; (3) the height of the building shall be reduced to one story over garages; (4) the depth of the building into the rear yard shall extend no further than the sun room of the building

adjacent to the east; (5) these revised plans shall be reviewed and approved by Commissioner Beverly J. Prior before being submitted to the Bureau of Building Inspection for compliance with these conditions. Then on motion by Commissioner House, the Board voted 4-0 to **ADOPT** amended findings that had been submitted by the attorney for Margaret Nassau.

**SPEAKERS:** Robert Passmore, Zoning Administrator for Department of City Planning; John Alioto, attorney for appellant; M. Brett Gladstone, attorney for Margaret Nassau; Margaret Nassau, Evelyn Wilson, Pete Crigger, Allen Nassau; Joe O'Donoghue; Margaret Siegel, Mike Reyer, Edith McMillan, in opposition to the project; Rupert Yan, in favor; and Judith Boyajian, Deputy City Attorney.

**The Board recessed from 7:58 to 8:13 p.m.**

**APPEAL NO. 91-232**

(10) HELEN & BOB GURMAN, Appellants
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on
[November 21, 1991, to Seda
[Kaufmann, permit to erect a
[Building at 1222 - 25th Avenue.
[APPLICATION NO. 9107405.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Vice President Prior, the Board voted 4-0 to **UPHOLD** the department and **GRANT** the permit.

**SPEAKERS:** Bob Gurman, appellant; Robert Passmore, Zoning Administrator for Department of City Planning; Richard Crandall, architect for permit holder; Vartkes Pogosian, permit holder's husband.

**APPEAL NO. 91-235**

(11) MATTHEW MURPHY, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Protesting issuance on
[November 27, 1991, to Jeffrey
[Litke, permit to Alter a Build-
[ing at 37 St. Germain Street.
[APPLICATION NO. 9122367.
[FOR HEARING TODAY.

**ACTION:** Upon motion by Commmissioner House, the Board voted 4-0 to **UPHOLD** the department and **GRANT** the permit with **CONDITIONS** as stipulated to by the parties.

**SPEAKERS:** None.

**APPEAL NO. 91-236**

(12) ANTHONY FEUDO, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on [December 5, 1991, to PFW Asso- [ciates, Inc., permit to Alter [a Building at 570 Page Street. [APPLICATION NO. 9114808. [FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Melbostad, the Board voted 4-0 to **UPHOLD** the department and **GRANT** the permit with the **CONDITION** that six of the twelve units be tied to the HUD-defined low-income guidelines.

**SPEAKERS:** Anthony Feudo, appellant; Paul Woo, permit holder; Pamela Smith, Marty O'Connell, Michael Devanna, Debra Duncanson, Michael McPartland, Gary Koll, in opposition to the project; Robert Passmore, Zoning Administrator for Department of City Planning; Judith Boyajian, Deputy City Attorney.

**APPEAL NO. 91-237**

(13) SHARON J. MALONE, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on [November 25, 1991, to Alice [Richards Wyllie Trust, George [Wyllie, Trustee, permit to Alter [a Building at 2157 Filbert Street. [APPLICATION NO. 9112302S. [FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Marks, the Board voted 4-0 to **UPHOLD** the department and **GRANT** the permit.

**SPEAKERS:** Sharon Malone, appellant; George Wyllie, permit holder; Bruce Bonacker, architect for permit holder.

**APPEAL NO. 91-221**

(14) ALICE R. LANE, CONSERVATOR OF THE ESTATE OF ELIZABETH G. JAMERSON, Appellant
vs.
ZONING ADMINISTRATOR, Respondent

[Determination by the Zoning [Administrator dated November 1, [1991, that the Department of [of City Planning intends to [record a Notice of Termination [of Commercial or Industrial Non- [conforming Status for the property [at 1592 - 1594 Golden Gate Avenue, [occupied by the New Laguna Market [and alleged abandoned for commer- [cial use for a period exceeding [three years. [FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Marks, the Board voted 4-0 to **OVERRULE** the department.

**SPEAKERS:** Mary Ratcliff, attorney for property owner; Barry Pearl, Planner for Department of City Planning; Margaret Verges, in favor of property owner; Lafayette Jamerson, son of property owner.

(15) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker

**SPEAKERS:** None.

There being no further business, President Marks adjourned the meeting at 10:25 p.m.

Robert H. Feldman
Executive Director

Transcripts of these hearings may be obtained directly from Doris Levine, the Official Court Reporter, (415) 456-9899.

SF

SF
B30
#3
1/29/92

# MINUTES OF THE
# MEETING OF THE BOARD OF PERMIT APPEALS
# WEDNESDAY, JANUARY 29, 1992
# 4:30 P.M., ROOM 282, CITY HALL

DOCUMENTS DEPT.
FEB 26 1992
SAN FRANCISCO
PUBLIC LIBRARY

**PRESENT:** President Esther Marks, Vice President Beverly Prior, Commissioners Ralph House and Paul Melbostad.

Robert Passmore, Zoning Administrator for Department of City Planning; Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection; Judith Boyajian, Deputy City Attorney; and Robert Feldman, Executive Director for the Board.

Doris Levine, Official Court Reporter.

(1) **EXECUTIVE SESSION (CLOSED TO PUBLIC):**

The Board of Permit Appeals met in Room 282 in executive session (closed to public) to discuss pending litigation as follows with representatives of the City Attorney's Office in compliance with California Government Code Section 54956.6(a). Deputy City Attorneys Andrew Schwartz and Judith Boyajian described the progress of the litigation and answered questions from the Board.

Kieran Keaney, et al., Plaintiffs
vs.
CCSF, et al., Defendants
U.S. District Court, N.D. California
No. C-91-4379-BAC
Appeal No. 90-280
379 - 17th Avenue

**The regular calendar began at 5:00 p.m.**

(2) **MATTERS FOR CONSIDERATION, REQUESTS FOR REHEARING AND OTHER CORRESPONDENCE:**

None.

(3) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKERS:** None.

**APPEAL NO. 91-244**

(4) ABC ROOFING, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Imposition of Penalty on
[December 20, 1991, for work
[done at 318 Foerster Street.
[APPLICATION NO. 9123938.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Melbostad, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $65.25 for a total of $130.50.

**SPEAKERS:** Won Joe Kim, appellant; and Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-002**

(5) BRENDA PUCKETT, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Imposition of Penalty on
[December 30, 1991, for work
[done at 1431 Shafter Avenue.
[APPLICATION NO. 9123777.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Melbostad, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $61.10 for a total of $122.20.

**SPEAKERS:** Brenda Puckett, appellant; and Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-005**

(6) PATRICIA ZARUR, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Imposition of Penalty on
[January 7, 1992, for work
[done at 2691 - 20th Avenue.
[APPLICATION NO. 9107513.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Vice President Prior, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $164.13 for a total of $328.26.

**SPEAKERS:** Patricia Zarur, appellant; and Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection.

**Item 9 was taken after Item 6 for the convenience of the large number of people in attendance. The Board recessed from 7:05 to 7:20 p.m. and reconvened with Item 7.**

**APPEAL NO. 91-208**

(7) MARK BERMAN, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL

[Denial on October 16, 1991,
[of permit to Alter a Building
[at 149 Seal Rock Drive.
[APPLICATION NO. 9018154.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner House, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** that a Notice of Special Restrictions is recorded to insure one family use only.

**SPEAKERS:** Jerry Klein, representing the property owner; Robert Passmore, Zoning Administrator for Department of City Planning; and Mattie Jackson, in favor of the property owner.

**Items 8A and 8B were heard together**

**APPEAL NO. 91-245**

(8A) JOHN & BEVERLY HUTCHINS, Appellants
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on December
[17, 1991, to Ta An Chou and
[Fen Tan Xue, site permit
[to Alter a Building
[at 863 Dartmouth Street.
[APPLICATION NO. 9021679S.
[FOR HEARING TODAY.

**APPEAL NO. 92-004**

(8B) KEVIN FOLEY & NANCY OKUMURA, Appellants
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on December
[17, 1991, to Ta An Chou and
[Fen Tan Xue, site permit
[to Alter a Building
[at 863 Dartmouth Street.
[APPLICATION NO. 9021679S.
[FOR HEARING TODAY.

**ACTION:** **CONTINUED** to **February 19, 1992** for revision of plans and to work with neighbors on design changes.

**SPEAKERS:** Beverly Hutchins, Kevin Foley and Nancy Okumura, appellants; Joyce Cheng, plan designer for permit holder; Ta An Chou, permit holder; and Robert Passmore, Zoning Administrator for Department of City Planning.

**Item 9 was taken out of order after Item 6 for the convenience of the large number of people in attendance.**

**APPEAL NO. 91-246**

(9) VISITACION VALLEY NEIGHBORHOOD ASSOCIATION, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on December [17, 1991, to Community Hospice [Foundation of Bay Area, Inc., [permit to Alter a Building [at 141 Leland Avenue. [APPLICATION NO. 9025186. [FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Vice President Prior, the Board voted 4-0 to **UPHOLD** the department with the **CONDITION** that a Notice of Special Restrictions is recorded.

**SPEAKERS:** Robert Passmore, Zoning Administrator for Department of City Planning; Alan Seher, attorney for appellant; Stephen Taber, attorney for permit holder; Chuck Hamilton, permit holder; Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection; Sampson Wong, Henry Shindel, Dawn Wong, Win Go Lam, Vincent Ow, Elena Lee, Frances Wong, Ken Ng, Yin Ling, Emory Kallman, Thomas Chung, in opposition to the project; and Kathleen Chung, Shelby Kennedy, Anne Seeman, Daniel Hernandez, Brian Shelley, in favor of the project.

**APPEAL NO. 92-003**

(10) EDWARD J. MULLINS, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on December [18, 1991, to Virginia Stearns, [permit to Alter a Building [at 3851 - 20th Street. [APPLICATION NO. 9115720S. [FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Vice President Prior, the Board voted 4-0 to **UPHOLD** the department and **GRANT** the permit.

**SPEAKERS:** Edward Mullins, appellant; Robert Passmore, Zoning Administrator for Department of City Planning; Claire Pilcher, attorney for permit holder; Virginia Stearns, permit holder; and Bob Isaacson, husband of permit holder.

**APPEAL NO. 92-001**

(11) ANDREAS PAPADOPOULOS, Appellant
vs.
ZONING ADMINISTRATOR, Respondent

[Determination by the Zoning [Administrator dated December [17, 1991 that the existing open [retail flower and plant sales [at 2101 - 19th Avenue is a vio- [lation of the City Planning Code. [FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Melbostad, the Board voted 4-0 to **UPHOLD** the department with the **CONDITION** that enforcement is stayed for as long as the appellant holds a lease.

**SPEAKERS:** Robert Passmore, Zoning Administrator for Department of City Planning; Leanna Dawydiak, attorney for appellant; Joseph Giraudo, property owner; and Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection.

(12) **PUBLIC HEARING AND CONSIDERATION OF DEPARTMENT BUDGET FOR FISCAL YEAR 1993**: Copies of the budget proposal are available for public review at the Board office.

**ACTION:** After discussion, upon motion by Commissioner House, the Board voted 4-0 to **ADOPT** the 97% budget to be submitted to the Mayor's Office.

(13) **ANNUAL ELECTION OF OFFICERS:**

**ACTION:** Upon motion by Commissioner Melbostad, the Board voted to elect Ralph House president and Beverly Prior vice president, each to serve one year until the next election.

There being no further business, President Marks adjourned the meeting at 9:17 p.m.

Robert H. Feldman
Executive Director

Transcripts of these hearings may be obtained directly from Doris Levine, the Official Court Reporter, (415) 456-9899.

City Librarian
Attn: Jerry Roth
Document Section, Main Library
*** (2) copies

SF
330
3
5/92

SF

# MINUTES OF THE
# MEETING OF THE BOARD OF PERMIT APPEALS
# WEDNESDAY, FEBRUARY 5, 1992
# 5:00 P.M., ROOM 282, CITY HALL

DOCUMENTS DEPT.
FEB 26 1992
SAN FRANCISCO
PUBLIC LIBRARY

**PRESENT:** President Ralph House, Vice President Beverly Prior, Commissioners Esther Marks and Paul Melbostad.

Robert Passmore, Zoning Administrator for Department of City Planning; Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection; Judith Boyajian, Deputy City Attorney; and Robert Feldman, Executive Director for the Board.

Doris Levine, Official Court Reporter.

(1) **MATTERS FOR CONSIDERATION, REQUESTS FOR REHEARING AND OTHER CORRESPONDENCE:**

**REQUESTS FOR REHEARING:**

**ITEM A:** Letter from Richard Dole, appellant, requesting rehearing of Appeal No. V91-225, 221 Greenwich and 32-34 Napier Lane. Hearing January 8, 1992. After discussion, upon motion by Vice President Prior, the Board voted 1-3 (President Marks, Commissioners House and Melbostad dissented) to **UPHOLD** the department and **GRANT** the variance.

**ACTION:** After discussion, upon motion by Vice President Prior, the Board voted 4-0 to **DENY** the request for rehearing.

**ITEM B:** Letter from David P. Cincotta, attorney for appellants, requesting rehearing of Appeal No. 91-242, 2431 Balboa Street. Hearing January 15, 1992. After discussion, upon motion by Commissioner House, the Board voted 4-0 to **OVERRULE** the Planning Commission with **CONDITIONS**. Then on motion by Commissioner House, the Board voted 4-0 to **ADOPT** amended findings.

**ACTION:** After discussion, upon motion by Commissioner Marks, the Board voted 4-0 to **ADOPT** findings. Then on motion by Commissioner Melbostad, the Board voted 3-1 (Vice President Prior dissented) to **DENY** the request for rehearing.

**SPEAKERS:** Judith Boyajian, Deputy City Attorney, David Cincotta, attorney for appellant; and M. Brett Gladstone, attorney for neighbors.

**REQUEST FOR JURISDICTION BEYOND FIFTEEN-DAY APPEAL PERIOD:**

**ITEM C:** Letter from Quang H. Pham, requesting that the Board take jurisdiction over penalty imposed for Building Permit Application No. 9200462 to alter a building at 2170 Bay Street.

| | |
|---|---|
| Date penalty imposed | January 10, 1992 |
| Appeal period ended | January 27, 1992 |
| Request for jurisdiction | January 28, 1992 |

**ACTION:** After discussion, upon motion by Vice President Prior, the Board voted 4-0 to **GRANT** jurisdiction. Mr. Pham has 15 days to file an appeal.

(2) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKER:** Edith McMillian read to the Board from a letter she sent to the Mayor complementing the Board on its work.

**APPEAL NO. 89-177**

(3) CHANG H. LEE, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Denial on August 9, 1989,
[of permit to Alter a
[Building at 20 Camp Street.
[APPLICATION NO. 8906654.
[FOR FURTHER HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Melbostad, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** that intermediate railings with maximum 9" separation be added to the stairway.

**SPEAKER:** Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-006**

(4) JEFFREY & RENEE COHEN, Appellants
vs.
DEPT. PUBLIC WORKS, Respondent

[Appealing for Refund of
[Penalty imposed on December
[26, 1991, for work done
[at 179 Alpine Terrace.
[ELEC. PERMIT NO. E97616.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Vice President Prior, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $65.25 for a total of $132.50.

**SPEAKERS:** Renee Cohen, appellant; Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-007**

(5) JOE & ANNIE DUDLEY, Appellants
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Imposition of Penalty on
[January 8, 1992, for work
[done at 1822 - 24 Grove St.
[APPLICATION NO. 9105309.
[FOR HEARING TODAY.

**ACTION:** **CONTINUED** to **February 19, 1992** to allow Laurence Kornfield, Chief Building Inspector, to verify the date of construction of the third unit.

**SPEAKERS:** Joe and Annie Dudley, appellant; Laurence Kornfield, Chief Building Inspector for the Bureau of Building Inspection; and Robert Passmore, Zoning Administrator for the Department of City Planning.

**APPEAL NO. 92-008**

(6) CHEE KONG LAU, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Imposition of Penalty on
[December 29, 1991, for work
[done at 1245 - 26th Avenue.
[APPLICATION NO. 9122597.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Marks, the Board voted 4-0 to **UPHOLD** the department and **SUSTAIN** the penalty.

**SPEAKERS:** Paul Wong, agent for appellant; and Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-009**

(7) JOSEPH MAURINO, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Imposition of Penalty on
[January 7, 1992, for work
[done at 50 Benton Avenue.
[APPLICATION NO. 9110252.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President House, the Board voted 4-0 to **UPHOLD** the department and **SUSTAIN** the penalty.

**SPEAKER:** Laurence Kornfield, Chief Building Inspector for the Bureau of Building Inspection. The appellant did not appear.

**APPEAL NO. 92-011**

(8) EDWARD LYEN, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Appealing for Refund of
[Penalty imposed on January
[13, 1992, for work done
[at 744 Filbert Street.
[APPLICATION NO. 9122695.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Marks, the Board voted 4-0 to **UPHOLD** the department and **SUSTAIN** the penalty.

**SPEAKERS:** Edward Lyen, appellant; and Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-012**

(9) HOWARD ARATA, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Imposition of Penalty on
[January 14, 1992, for work
[done at 2631 - 39th Avenue.
[APPLICATION NO. 9120225.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Melbostad, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $65.25 for a total of $130.50.

**SPEAKERS:** Howard Arata, appellant; and Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-015**

(10) MONICA ST. GEME, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Appealing for Refund of
[Penalty imposed on January
[20, 1992, for work done
[at 355 Bryant Street.
[APPLICATION NO. 9123834.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Vice President Prior, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $53.95 for a total of $107.90.

**SPEAKERS:** Monica St. Geme, appellant; and Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-016**

(11) MICHAEL SPAER, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Appealing for Refund of
[Penalty imposed on January
[21, 1992, for work done
[at 149 Mullen Avenue.
[APPLICATION NO. 9110194S.
[FOR HEARING TODAY.

**ACTION:** **CONTINUED** to **February 19, 1992** for a site inspection by Laurence Kornfield, Chief Building Inspector.

**SPEAKERS:** Michael Spaer, appellant; and Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-010**

DENNIS BLUM & DIANE JOSEPHS, Appellants
(12) vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on December 30, 1991, to Yee Jing Soohoo, et al., permit to Erect a Building at 1444 Union Street. APPLICATION NO. 8904407. FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Vice President Prior, the Board voted 4-0 to **UPHOLD** the department with the following **CONDITIONS:** the stairway penthouse and elevator housing be reduced to minimum Building Code specifications; the permit holder shall hire a licensed surveyor to confirm the height of the building before and after the construction; and slope the roof of the penthouse.

**SPEAKERS:** Diane Josephs and Dennis Blum, appellants; Robert Passmore, Zoning Administrator for the Department of City Planning; Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection; Alice Soohoo, permit holder an architect; Allen Martinez, architect for appellant; Laura Riggs, in support of the project.

**APPEAL NO. 92-014**

JAMES HEGARTY & PETER JONES, Appellants
(13) vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on January 6, 1992, to William McDonagh, permit to Demolish a Building at 235 Collins Street. APPLICATION NO. 9100638. FOR HEARING TODAY.

**ACTION:** **WITHDRAWN** prior to hearing by letter dated February 5, 1992.

(14) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKERS:** Judith Boyajian reported on pending litigation; and Beverly Prior reported on the Mayor's meeting with the commission officers.

There being no further business, President House adjourned the meeting at 7:28 p.m.

Robert H. Feldman
Executive Director

Transcripts of these hearings may be obtained directly from Doris Levine, the Official Court Reporter, (415) 456-9899.

City Librarian
Attn: Jerry Roth
Document Section, Main Library
*** (2) copies

SF

SF
30
3
2/19/92

# MINUTES OF THE
# MEETING OF THE BOARD OF PERMIT APPEALS
# WEDNESDAY, FEBRUARY 19, 1992
# 5:00 P.M., ROOM 282, CITY HALL

**PRESENT:** President Ralph House, Vice President Beverly Prior, Commissioners Esther Marks and Paul Melbostad.

Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection; Judith Boyajian, Deputy City Attorney; and Robert Feldman, Executive Director for the Board.

Doris Levine, Official Court Reporter.

(1) **MATTERS FOR CONSIDERATION, REQUESTS FOR REHEARING AND OTHER CORRESPONDENCE:**

**REQUESTS FOR REHEARING:**

**ITEM A:** Letter from Weiss & Wiessman, Inc., attorneys for appellant, requesting rehearing of Appeal No. 91-246, 141 Leland Avenue. Hearing January 29, 1992. After discussion, upon motion by Vice President Prior, the Board voted 4-0 to **UPHOLD** the department with the **CONDITION** that a Notice of Special Restrictions is recorded.

**ACTION:** After discussion, upon motion by Vice President Prior, the Board voted 4-0 to **DENY** the request for rehearing.

**SPEAKERS:** Alan Seher, attorney for appellant; and Stephen Faber, attorney for permit holder.

**ITEM B:** Letter from Joseph Maurino, requesting rehearing of Appeal No. 92-009, 50 Benton Avenue. Hearing February 5, 1992. Upon motion by President House, the Board voted 4-0 to **UPHOLD** the department and **SUSTAIN** the penalty. The appellant did not appear.

**ACTION:** After discussion, upon motion by Vice President Prior, the Board voted 4-0 to **GRANT** the request for rehearing. The rehearing is scheduled for **March 18, 1992.**

**REQUEST FOR JURISDICTION BEYOND FIFTEEN-DAY APPEAL PERIOD:**

**ITEM C:** Letter from Po Lung Lin, requesting that the Board take jurisdiction over penalty imposed for Building Permit Application No. 9110576 to alter a building at 262 Granada Avenue.

DOCUMENTS DEPT.
FEB 26 1992
SAN FRANCISCO
PUBLIC LIBRARY

| | |
|---|---|
| Date penalty imposed | December 4, 1991 |
| Appeal period ended | December 19, 1991 |
| Request for jurisdiction | February 11, 1992 |

**ACTION:** After discussion, upon motion Vice President Prior, the Board voted 2-2 (President House and Commissioner Marks dissented) to grant the request for jurisdiction. Then on motion by President House, the Board voted 4-0 to **RESCIND** the prior motion and **GRANT** the request for jurisdiction. Mr. Lin has 15 days to file an appeal.

**SPEAKER:** Jack Tseng, contractor for permit holder.

(2) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKERS:** Virginia Conway reported that the transit shelter at Geary and Taylor has been remodelled and is causing no problems. President House made a statement concerning the shoring up of houses in the Bayview area and Mr. Kornfield said he would look into the matter.

**APPEAL NO. 92-007**

(3) JOE & ANNIE DUDLEY, Appellants
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Imposition of Penalty on
[January 8, 1992, for work
[done at 1822 - 24 Grove St.
[APPLICATION NO. 9105309.
[FOR FURTHER HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Melbostad, the Board voted 4-0 to **UPHOLD** the department and **SUSTAIN** the penalty.

**SPEAKERS:** Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection; and Annie Dudley, appellant.

**APPEAL NO. 92-017**

(4) JOHN CHAU, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Appealing for Refund of Penalty
[imposed on January 16, 1992,
[for work done at 61 Ina Court.
[APPLICATION NO. 9006142.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Vice President Prior, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $189.15 for a total of $378.30.

**SPEAKERS:** John Chau, appellant; and Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-018**

(5) AURORA MENDOZA, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Appealing for Refund of Penalty
[imposed on January 29, 1991,
[for work done at 290 Munich St.
[APPLICATION NO. 9005735.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Marks, the Board voted 4-0 to **UPHOLD** the department and **SUSTAIN** the penalty.

**SPEAKERS:** Aurora Mendoza, appellant; Fernando O'Connor, appellant's husband; and Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-019**

(6) MARK JAKOBSON, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Imposition of Penalty on
[January 28, 1992, for work
[done at 2183 - 35th Avenue.
[APPLICATION NO. 9105500.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Marks, the Board voted 3-1 (Vice President Prior dissented) to **UPHOLD** the department and **SUSTAIN** the penalty.

**SPEAKERS:** Mark Jakobson, appellant; and Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-020**

(7) YEHUDA GOLANI, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Imposition of Penalty on
[February 4, 1992, for work
[done at 1672 - 76 Grove Street.
[APPLICATION NO. 9117377.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Melbostad, the Board voted 4-0 to **UPHOLD** the department and **SUSTAIN** the penalty.

**SPEAKERS:** Yehuda Golani, appellant; and Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-021**

(8) ANITA VULTAGGIO, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Imposition of Penalty on
[February 4, 1992, for work
[done at 241 Bacon Street.
[APPLICATION NO. 9114585.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Melbostad, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** the penalty be reduced to two times the regular fee of $249.60 for a total of $499.20.

**SPEAKERS:** Anita Vultaggio, appellant; and Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-022**

(9) STERLING SAM, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Imposition of Penalty on
[January 29, 1992, for work
[done at 270 - 272 Parker Ave.
[APPLICATION NO. 9114327.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Marks, the Board voted 4-0 to **UPHOLD** the department and **SUSTAIN** the penalty.

**SPEAKERS:** Sterling Sam, appellant; and Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection.

(10) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKERS:** None.

There being no further business, President House adjourned the meeting at 7:18 p.m.

Robert H. Feldman
Executive Director

Transcripts of these hearings may be obtained directly from Doris Levine, the Official Court Reporter, (415) 456-9899.

SF
SF
P30
#3
3/4/92

SF

# MINUTES OF THE
# MEETING OF THE BOARD OF PERMIT APPEALS
# WEDNESDAY, MARCH 4, 1992
# 5:00 P.M., ROOM 282, CITY HALL

DOCUMENTS DEPT.
MAR 11 1992
SAN FRANCISCO
PUBLIC LIBRARY

**PRESENT:** President Ralph House, Vice President Beverly Prior, Commissioners Esther Marks and Paul Melbostad.

Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection; Jim Hutchinson, Senior Building Inspector for Bureau of Building Inspection; and Robert Feldman, Executive Director for the Board.

Carol Mardeusz, substituting for Doris Levine, Official Court Reporter.

(1) **MATTERS FOR CONSIDERATION, REQUESTS FOR REHEARING AND OTHER CORRESPONDENCE:**

**ADOPTION OF FINDINGS:**

**ITEM A:** Appeal No. 91-221, 1592 - 1594 Golden Gate Avenue. Hearing January 15, 1992. After discussion, upon motion by President Marks, the Board voted 4-0 to **OVERRULE** the department based on documentary evidence presented at the public hearing by the appellant's attorney showing that the shop has been operated during the past three years and has not been abandoned as a NCU neighborhood-serving retail store.

**ACTION:** After discussion, upon motion by Commissioner Melbostad, the Board voted 4-0 to **ADOPT** amended findings.

**REQUEST FOR REHEARING:**

**ITEM B:** Letter from Robert W. Passmore, Zoning Administrator requesting rehearing of Appeal No. 91-221, 1592 - 1594 Golden Gate Avenue. Hearing January 15, 1992.

**ACTION:** After discussion, upon motion by Commissioner Marks, the Board voted 4-0 to **DENY** the request for rehearing.

(2) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKERS:** Laurence Kornfield reported on the Alta Street demolition on Nob Hill which he monitored for the Bureau of Building Inspection.

**APPEAL NO. 92-016**

(3) MICHAEL SPAER, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Appealing for Refund of
[Penalty imposed on January
[21, 1992, for work done
[at 149 Mullen Avenue.
[APPLICATION NO. 9110194S.
[FOR FURTHER HEARING TODAY.

**ACTION:** After discussion, upon motion by Vice President Prior, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $310.70 for a total of $621.40.

**SPEAKERS:** Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection; and Michael Spaer, appellant.

**APPEAL NO. 92-023**

(4) CATHLEEN RISTOW, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Imposition of Penalty on
[February 5, 1992, for work
[done at 2456 Clay Street.
[APPLICATION NO. 9014566.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Vice President Prior, the Board voted 1-3 (President House, Commissioners Marks and Melbostad dissented) to overrule the department with the condition that the penalty be reduced to two times the regular fee of $894.00 for a total of $1,788.00. Then on motion by Commissioner Melbostad, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to a total of $5,000.00, a sum that could be recovered in Small Claims Court from the responsible party.

**SPEAKERS:** Cathleen Ristow, appellant; and Jim Hutchinson, Senior Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-024**

(5) ARTURO BONGCO, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Imposition of Penalty on
[February 5, 1992, for work
[done at 350 Faxon Avenue.
[APPLICATION NO. 9107776.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Marks, the Board voted 2-2 (Vice President Prior and Commissioner Melbostad dissented) to **UPHOLD** the department and **SUSTAIN** the penalty.

**SPEAKERS:** Maria Bongco and Arturo Bongco, appellants; and Jim Hutchinson, Senior Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-025**

(6) WILLIAM FABER, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Imposition of Penalty on
[January 31, 1992, for work
[done at 2514 - 27th Avenue.
[APPLICATION NO. 9200523.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Vice President Prior, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $112.13 for a total of $224.26.

**SPEAKERS:** William Faber, appellant; and Jim Hutchinson, Senior Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-026**

(7) CARDINAL ELECTRIC COMPANY, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Imposition of Penalty on
[January 24, 1992. for work
[done at 901 Noriega Street.
[ELEC. PERMIT NO. 96810.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President House, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $65.25 for a total of $130.50.

**SPEAKERS:** Philip Gaal, appellant; and Jim Hutchinson, Senior Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-028**

(8) OTTO WIEGAND, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Appealing for Refund of
[Penalty imposed on February
[5, 1992, for work done
[at 147 Mason Street.
[ELEC. PERMIT NO. 98691.
[FOR HEARING TODAY.

**ACTION:** After discussion, **CONTINUED** to **March 18, 1992** for the Bureau of Building Inspection to investigate the basis of the penalty assessment.

**SPEAKERS:** Otto Wiegand, appellant; and Jim Hutchinson, Senior Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-031**

(9) HARRIS ELECTRIC, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Appealing for Refund of
[Penalty imposed on February
[3, 1992, for work done
[at 385 Ashton Avenue.
[ELEC. PERMIT NO. 98966.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Vice President Prior, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $226.00 for a total of $452.00.

**SPEAKERS:** Thomas Harris, appellant; and Jim Hutchinson, Senior Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-033**

(10) KARL H. HARTMANN, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Appealing for Refund of
[Penalty imposed on February
[11, 1992, for work done
[at 722 - 24 Monterey Blvd.
[APPLICATION NO. 9025198.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Vice President Prior, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $127.40 for a total of $254.80.

**SPEAKERS:** Karl Hartmann, appellant; and Jim Hutchinson, Senior Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-030**

(11) 601 FOURTH STREET OWNERS ASSOCIATION, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on
[January 28, 1992, to
[Gerald L. & Shauna L. Bybee,
[permit to Alter a Building
[at 601 Fourth Street.
[APPLICATION NO. 9104119.
[FOR HEARING TODAY.

**ACTION:** **WITHDRAWN** prior to hearing by letter dated **March 4, 1992.**

(12) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKERS:** Vice President Prior discussed the revised drawings which she had approved for 2431 Balboa Street in light of Edith McMillan's letter; and Edith McMillan thanked the Board for its responsiveness in this matter.

There being no further business, President House adjourned the meeting at 7:03 p.m.

Robert H. Feldman
Executive Director

Transcripts of these hearings may be obtained directly from Doris Levine, the Official Court Reporter, (415) 456-9899.

SF

DOCUMENTS DEPT.
APR 1 1991
SAN FRANCISCO
PUBLIC LIBRARY

# MINUTES OF THE
# MEETING OF THE BOARD OF PERMIT APPEALS
# WEDNESDAY, MARCH 25, 1992
# 5:00 P.M., ROOM 282, CITY HALL

**PRESENT:** Commissioners Wayne Alba, Angela Bradstreet, Neil Eisenberg, Ike Felzer and Juanita Owens.

Larry Litchfield, Superintendent, Laurence Kornfield, Chief Building Inspector and William Schock, Senior Building Insepctor for Bureau of Building Inspection; Robert Passmore, Zoning Administrator for Department of City Planning; Officer Jeffrey Barker for the S.F.P.D.;Judith Boyajian, Deputy City Attorney; and Robert Feldman, Executive Director for the Board.

Doris Levine, Official Court Reporter.

(1) **Election of Officers:**

Upon motion by Commissioner Felzer, with second by Commissioner Alba, the Board unanimously voted for Commissioner Eisenberg for president and Commissioner Bradstreet for vice president.

President Eisenberg presided thereafter and made brief remarks thanking the Board and explained his goals for this Board.

Vice President Bradstreet thanked the Board and made brief remarks.

(2) **Presentations by representatives of departments:**

SPEAKERS: Larry Litchfield, Superintendent of the Bureau of Building Inspection Laurence Kornfield, Chief Building Inspector; Robert Passmore, Zoning Administrator for the Department of City Planning; Jeffrey Barker for the S.F.P.D.; Judith Boyajian, Deputy City Attorney for the City Attorney's Office and Robert Feldman, Executive Director for the Board.

(3) **Questions and Comments from Commissioners:**

Brief discussion of points raised by representatives.

(4) **Public Comment:**

SPEAKERS: Jerry Klein; and John Parker for Sunset-Parkside Education and Action Committee.

There being no further business, President Eisenberg adjourned the meeting at 6:23 p.m.

Robert H. Feldman
Executive Director

Transcripts of these hearings may be obtained directly from Doris Levine, the Official Court Reporter, (415) 456-9899.

City Librarian
Attn: Jerry Roth
Document Section, Main Library
*** (2) copies

SF
P36
#3
1/92

SF

# MINUTES OF THE
# MEETING OF THE BOARD OF PERMIT APPEALS
# WEDNESDAY, APRIL 1, 1992
# 5:00 P.M., ROOM 282, CITY HALL

DOCUMENTS DEPT.
APR 30 1992
SAN FRANCISCO

**PRESENT:** President Neil Eisenberg, Vice President Angela Bradstreet, Commissioners Wayne Alba and Ike Felzer.

Barry Pearl, Planner for Department of City Planning; Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection; Judith Boyajian, Deputy City Attorney; and Robert Feldman, Executive Director for the Board.

Doris Levine, Official Court Reporter.

**ABSENT:** Commissioner Juanita Owens.

(1) **MATTERS FOR CONSIDERATION, REQUESTS FOR REHEARING AND OTHER CORRESPONDENCE:**

**REQUEST FOR JURISDICTION BEYOND FIFTEEN-DAY APPEAL PERIOD:**

**ITEM A:** Letter from Edmond S. Sullivan, Jr., requesting that the Board take jurisdiction of penalty imposed on February 7, 1992 for work done at 3724 - 3726 Webster Street.

| | |
|---|---|
| Date penalty imposed | February 7, 1992 |
| Appeal period ended | February 24, 1992 |
| Request for jurisdiction | March 10, 1992 |

**ACTION:** After discussion, upon motion by Commissioner Alba, the Board voted 4-0 to **GRANT** jurisdiction. Mr. Sullivan has 15 days to file an appeal.

(2) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKER:** President Eisenberg expressed confidence in the quality of the new Board members.

**APPEAL NO. 92-028**

(3) OTTO WIEGAND, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Appealing for Refund of
[Penalty imposed on February
[5, 1992, for work done
[at 147 Mason Street.
[ELEC. PERMIT NO. 98691.
[FOR FURTHER HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Felzer, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** that the penalty be

reduced to two times the regular fee of $91.25 for a total of $182.50.

**SPEAKERS:** Otto Wiegand, appellant; and Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection.

**Items 4A and 4B were heard together**

**APPEAL NO. 91-245**

(4A) JOHN & BEVERLY HUTCHINS, Appellants
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on December
[17, 1991, to Ta An Chou and
[Fen Tan Xue, site permit
[to Alter a Building
[at 863 Dartmouth Street.
[APPLICATION NO. 9021679S.
[FOR FURTHER HEARING TODAY.

**APPEAL NO. 92-004**

(4B) KEVIN FOLEY & NANCY OKUMURA, Appellants
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on December
[17, 1991, to Ta An Chou and
[Fen Tan Xue, site permit
[to Alter a Building
[at 863 Dartmouth Street.
[APPLICATION NO. 9021679S.
[FOR FURTHER HEARING TODAY.

**ACTION:** After discussion, upon motion by Vice President Bradstreet, the Board voted 4-0 to **UPHOLD** the department with the **CONDITION** that the plans be revised according to the AIA recommendations.

**SPEAKERS:** David Sternberg, representative for AIA; Kevin Foley, Nancy Okumura, John Hutchins, Beverly Hutchins, appellants; Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection; Joyce Cheng, designer for permit holder; and Ta An Chou, permit holder.

**APPEAL NO. 92-009**

(5) JOSEPH MAURINO, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Imposition of Penalty on
[January 7, 1992, for work
[done at 50 Benton Avenue.
[APPLICATION NO. 9110252.
[FOR REHEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Alba, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $150.00 for a total of $300.00.

**SPEAKERS:** Joseph Maurino, appellant; and Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-034**

(6) URANIA ELLEARD, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Imposition of Penalty on
[February 19, 1992, for work
[done at 194 Flournoy Street.
[APPLICATION NO. 9117961.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $280.15 for a total of $560.30.

**SPEAKERS:** Urania Elleard, appellant; and Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection.

**The Board recessed from 6:50 to 7:05 p.m.**

**APPEAL NO. 92-035**

(7) QUANG H. PHAM, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Imposition of Penalty on
[January 28, 1992, for work
[done at 2170 Bay Street.
[APPLICATION NO. 9200462.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Felzer, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $65.25 for a total of $130.50.

**SPEAKERS:** Quang Pham, appellant; and Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-036**

(8) PO-LUNG LIN, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Appealing for Refund of
[Penalty imposed on December
[4, 1991, for work done
[at 262 Granada Avenue.
[APPLICATION NO. 9110576.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Alba, the Board voted 4-0 to **UPHOLD** the department and **SUSTAIN** the penalty.

**SPEAKERS:** Po-Lung Lin, appellant; Jack Tseng, contractor for appellant; and Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-038**

(9) UNION ELECTRIC CONSTRUCTION, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Imposition of Penalty on
[February 19, 1992, for work
[done at 760 Market Street.
[ELEC. PERMIT NO. 99494.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $226.00 for a total of $452.00.

**SPEAKERS:** Joseph Marcellino and Lorin Gillespie, appellants; and Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 91-153**

(10) CHAVALIT THANGSUMPHANT, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL

[Denial on August 13, 1991,
[of permit to Alter a Building
[at 479 Marina Blvd.
[APPLICATION NO. 9016372.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 4-0 to **UPHOLD** the department and **DENY** the permit.

**SPEAKERS:** Victor Khomin, agent for appellant; and Barry Pearl, Planner for Department of City Planning.

**APPEAL NO. 92-029**

(11) RICHARD THOMAS, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL

[Denial on January 27, 1992,
[of permit to Alter a Building
[at 653 - 667 Bay Street.
[APPLICATION NO. 9102924.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 4-0 to **UPHOLD** the department and **DENY** the permit.

**SPEAKERS:** Richard Thomas, appellant; Paul Johnson, architect for appellant; Barry Pearl, Planner for Department of City Planning; Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspector.

**The Board recessed from 8:50 p.m. to 8:55 p.m.**

**APPEAL NO. 92-037**

(12) PATRICK BUSCOVICH, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL

[Denial on February 11, 1992,
[of permit to Alter a Building
[at 1830 - 32 Green Street.
[APPLICATION NO. 9200243.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 4-0 to **OVERRULE** the department with the findings that Section 181 (b)(2) of the Planning Code allows for minor alterations essential for health and safety and here a minor amount of square footage is being added for seismic upgrading.

**SPEAKERS:** Patrick Buscovich, appellant; Sam Bruno, property owner; Barry Pearl, Planner for the Department of City Planning; Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection; and Robert Passmore, Zoning Administrator for Department of City Planning.

(13) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKER:** President Eisenberg requested that the departments consider a consent calendar for single penalty cases to expedite the work of the Board.

There being no further business, President Eisenberg adjourned the meeting at 8:59 p.m.

Robert H. Feldman
Executive Director

Transcripts of these hearings may be obtained directly from Doris Levine, the Official Court Reporter, (415) 456-9899.

S.F.

F
30
3
4/8/92

DOCUMENTS DEPT.

APR 17 1992

SAN FRANCISCO
PUBLIC LIBRARY

# MINUTES OF THE
# MEETING OF THE BOARD OF PERMIT APPEALS
# WEDNESDAY, APRIL 8, 1992
# 5:30 P.M., ROOM 282, CITY HALL

**PRESENT:** President Neil Eisenberg, Vice President Angela Bradstreet, Commissioners Wayne Alba, Ike Felzer and Juanita Owens.

Robert Passmore, Zoning Administrator for Department of City Planning; Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection; Judith Boyajian, Deputy City Attorney; and Robert Feldman, Executive Director for the Board.

Doris Levine, Official Court Reporter.

(1) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKERS:** President Eisenberg requested the Executive Director to prepare a letter to the A.I.A. explaining the Board's intention to use the Advisory Review Panel and asking that fees be waived. Laurence Kornfield agreed to work with the Board on referrals to the A.I.A. Edith McMillan requested that the Board seek to have the A.I.A. waive fees for Advisory Panel review so as to not burden the parties. Robert Passmore supported the Board's use of the A.I.A. panel for design review and explained the significance of the Residential Design Guidelines distributed to the Board last week.

**APPEAL NO. 92-032**

(2) MAXINE YEE, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Imposition of Penalty on
[February 14, 1992, for work
[done at 2941 - 23rd Avenue.
[APPLICATION NO. 9114230.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 4-1 (Commissioner Alba dissented) to **OVERRULE** the department with the **CONDITION** that the regular fee be reduced to $64.35 and also that the penalty be reduced to two times the regular fee of $64.35 for a total of $128.70.

**SPEAKERS:** Maxine Yee, appellant; Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection; and Maureen Conroy, in support of the appellant.

**APPEAL NO. 92-039**

(3) KAM SAU HO, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Imposition of Penalty on
[February 28, 1992, for work
[done at 50 Carr Street.
[APPLICATION NO. 9120691.
[FOR HEARING TODAY.

**ACTION:** Upon motion by President Eisenberg, the Board voted 5-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $78.98 for a total of $157.96.

**SPEAKER:** Laurence Kornfield, Chief Building Inspector, agreed that items 2, 3, and 5 were appropriate for reduction to a two-times penalty.

**APPEAL NO. 92-040**

(4) HANS GOTTSCHALK, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Appealing for Refund of
[Penalty imposed on March 2,
[1992, for work done at
[220 Montgomery Street.
[APPLICATION NO. 9201961.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 4-1 (Commissioner Alba dissented) to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $173.23 for a total of $346.46.

**SPEAKERS:** Hans Gottschalk, appellant; Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection; and Judith Boyajian, Deputy City Attorney.

**APPEAL NO. 92-044**

(5) YEFIM FRIDMAN, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Appealing for Refund of
[Penalty imposed on March 12,
[1992, for work done at
[1921 McAllister Street.
[APPLICATION NO. 9201338.
[FOR HEARING TODAY.

**ACTION:** Upon motion by President Eisenberg, the Board voted 5-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $43.23 for a total of $86.46.

**SPEAKERS:** None.

**APPEAL NO. 92-046**

(6) YEW LEONG SIN, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Imposition of Penalty on
[March 6, 1992, for work
[done at 1522 - 19th Avenue.
[APPLICATION NO. 9010364.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Alba, the Board voted 5-0 to **CONTINUE** the hearing to **April 22, 1992** to have a translator who speaks Cantonese or Mandarin dialect for the appellant.

**SPEAKERS:** Yew Leong Sin, appellant; and Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-043**

(7) KUO HSIUN CHIANG, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL

[Denial on February 21, 1992,
[of permit to Alter a Building
[at 2535 - 38th Avenue.
[APPLICATION NO. 8910470.
[FOR HEARING TODAY.

**ACTION:** **CONTINUED** to **Call of the Chair** prior to hearing at the request of Department of City Planning (Robert Passmore, Zoning Administrator) to properly disapprove the permit.

**APPEAL NO. 92-045**

(8) ELLIS A. BREAUX, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on February
[26, 1992, to Bertha Flemming,
[permit to Alter a Building
[at 600 - 602 Haight Street.
[APPLICATION NO. 9123763.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **CONTINUE** the hearing to **April 22, 1992** for a site inspection by Commissioner Felzer and the Executive Director and submission of briefs by attorneys for the parties on the issue of the relevancy of Section 101.1 of the Planning Code. The public hearing was closed at the end of the testimony.

**SPEAKERS:** Larry Becker, attorney for appellant; Lela Harris, attorney for permit holder; Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection; Robert Passmore, Zoning Administrator for Department of City Planning; Gary Francois, architect for permit holder; Kemit Amenophis, Rosemarie Breaux, Gerald Kirby, Pat Arnao, in opposition to the project; Fritz Flemming, permit holder's son; Judith Boyajian, Deputy City Attorney; and Bertha Flemming, permit holder.

**APPEAL NO. 92-047**

(9) DAVID FERRANTE, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on March
[3, 1992, to The Richmond YMCA,
[permit to Alter a Building
[at 360 - 18th Avenue.
[APPLICATION NO. 9015380.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Vice President Bradstreet, the Board voted 5-0 to **UPHOLD** the department with the same conditions as the Planning Commission imposed and to **GRANT** the permit.

**SPEAKERS:** David Ferrante, appellant; Robert Passmore, Zoning Administrator for Department of City Planning; Judith Boyajian, Deputy City Attorney; Stewart Warner and Beth Schneider for permit holder; Matthew Anderson, architect for permit holder; and Shantelle Decombre, in favor of the project.

**The Board recessed from 7:38 to 7:54 p.m.**

**APPEAL NO. 92-048**

(10) CLIFF ROBINSON, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on
[March 3, 1992, to Wu Pit
[Chu and Hang Fong, permit
[to Alter a Building at
[344 Marietta Drive.
[APPLICATION NO. 9024555.
[FOR HEARING TODAY.

**ACTION:** **CONTINUED** to **Call of the Chair** for referral to A.I.A mediation at the request of President Eisenberg prior to hearing.

(11) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKERS:** None.

There being no further business, President Eisenberg adjourned the meeting at 8:38 p.m.

Robert H. Feldman
Executive Director

Transcripts of these hearings may be obtained directly from Doris Levine, the Official Court Reporter, (415) 456-9899.

City Librarian
Attn: Jerry Roth
Document Section, Main Library
*** (2) copies

SF
F
30
3
22/92

# MINUTES OF THE
# MEETING OF THE BOARD OF PERMIT APPEALS
# WEDNESDAY, APRIL 22, 1992
# 5:30 P.M., ROOM 282, CITY HALL

DOCUMENTS DEPT.
APR 30 1992
SAN FRANCISCO

**PRESENT:** President Neil Eisenberg, Vice President Angela Bradstreet, Commissioners Wayne Alba and Ike Felzer.

Robert Passmore, Zoning Administrator for Department of City Planning; Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection; Judith Boyajian, Deputy City Attorney; and Robert Feldman, Executive Director for the Board.

Doris Levine, Official Court Reporter.

**ABSENT:** Commissioner Juanita Owens.

(1) Informational presentation by Mary Gallagher, planner, of the Department of City Planning, of the Recode Project and the "How to Use the City Planning Code" guides.

**ACTION:** CONTINUED prior to hearing to **April 29, 1992.**

(2) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKERS:** None.

(3) **MATTERS FOR CONSIDERATION, REQUESTS FOR REHEARING AND OTHER CORRESPONDENCE:**

**REQUEST FOR JURISDICTION BEYOND THE FIFTEEN-DAY APPEAL PERIOD:**

**ITEM A:** Letter from Iris Tam Concepcion, requesting that the Board take jurisdiction over Building Permit Application No. 9112992S to alter a building at 230 Irving Street.

| | |
|---|---|
| Date of issue | March 20, 1992 |
| Appeal period ended | April 6, 1992 |
| Request for jurisdiction | April 10, 1992 |

**ACTION:** After discussion, upon motion by Vice President Bradstreet, the Board voted 4-0 to DENY the request for jurisdiction.

**SPEAKERS:** Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection; and Harry Burnell, permit holder.

**APPEAL NO. 92-046**

(4) YEW LEONG SIN, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Imposition of Penalty on
[March 6, 1992, for work
[done at 1522 - 19th Avenue.
[APPLICATION NO. 9010364.
[FOR FURTHER HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Alba, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to six times the regular fee of $138.45 for a total of $830.70.

**SPEAKERS:** Yew Leong Sin, appellant; and May-Lin Dea, translator for appellant.

**APPEAL NO. 92-045**

(5) ELLIS A. BREAUX, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on February
[26, 1992, to Bertha Flemming,
[permit to Alter a Building
[at 600 - 602 Haight Street.
[APPLICATION NO. 9123763.
[FOR FURTHER HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Felzer, the Board voted 4-0 to **UPHOLD** the department and **GRANT** the permit.

**SPEAKERS:** Larry Becker, attorney for appellant; and Lela Harris, attorney for permit holder. Commissioner Felzer reported on the site inspection he and the Executive Director had made on April 16, 1992.

**Items 6, 7, 8 were considered together by the Board with no opposition from the departments or the public.**

**APPEAL NO. 92-027**

(6) AYAD HUSSAIN, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Imposition of Penalty on
[January 30, 1992, for work
[done at 195 - 197 Cook Street.
[APPLICATION NO. 9005467.
[FOR HEARING TODAY.

**ACTION:** Upon motion by President Eisenberg, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular of $113.82 for a total of $227.64.

**SPEAKERS:** None.

**APPEAL NO. 92-055**

(7) BRIAN A. BOYD, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Imposition of Penalty on
[March 26, 1992, for work
[done at 1534 - 39th Avenue.
[APPLICATION NO. 9123039.
[FOR HEARING TODAY.

**ACTION:** Upon motion by President Eisenberg, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $112.13 for a total of $224.26.

**SPEAKERS:** None.

**APPEAL NO. 92-056**

(8) KENNETH MUSE & GEORGE SIMS, Appellants
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Imposition of Penalty on
[March 27, 1992, for work
[done at 4076 - 20th Street.
[APPLICATION NO. 9202667.
[FOR HEARING TODAY.

**ACTION:** Upon motion by President Eisenberg, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $96.85 for a total of $193.70.

**SPEAKERS:** None.

**APPEAL NO. 92-050**

(9) ALLAN & LORRAINE THOMPSON, Appellants
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL

[Denial on March 13, 1992, of
[permit to Alter a Building at
[1401 - 1407 Mariposa Street.
[APPLICATION NO. 8915850.
[FOR HEARING TODAY.

**ACTION:** **CONTINUED** prior to hearing to **April 29, 1992** at the request of the attorney for appellants (Claire Pilcher, Esq.).

**APPEAL NO. 92-052**

(10) PETER & PATRICIA MASCHI, Appellants
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on
[March 16, 1992, to James and
[Leena Krasno, permit to Alter
[a Building at 1549 - 16th Ave.
[APPLICATION NO. 9023807.
[FOR HEARING TODAY.

**ACTION:** **CONTINUED** to **May 20, 1992** for A.I.A. mediation.

**SPEAKERS:** Gerald Tiernan, attorney for appellants; Evelyn Wilson, John Bardis, Jim Kindergan, Don Speakman, Edith McMillian, Michael Cafiso, Ellen Cowley, Margaret Sigel, Chris Christensen, Ruth Murray, Anita Milestone, Joseph Meyer, Don Larramendy, Pat Christensen, Jerry Bartolo, in opposition to the project; and Kirk Moon, in support.

**APPEAL NO. 92-053**

(11) NANCY NIELSEN & GEORGE BONILLA, Appellants
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on
[March 10, 1992, to Joel and
[Loris Lipski, permit to Alter
[a Building at 775 University St.
[APPLICATION NO. 9112526.
[FOR HEARING TODAY.

**ACTION:** CONTINUED to **April 29, 1992** at the request of the appellants.

**APPEAL NO. V92-054**

(12) THOMAS & KAREN SMITH, Appellants
vs.
ZONING ADMINISTRATOR, Respondent

[Denial on March 17, 1992,
[of variance to Enclose a
[Portion of the Upper Deck,
[sought for property located
[at 1275 Stanyan Street.
[VARIANCE CASE NO. 91.406V.
[FOR HEARING TODAY.

**ACTION:** CONTINUED to **April 29, 1992** at the request of the appellants.

(13) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKERS:** None.

There being no further business, President Eisenberg adjourned the meeting at 7:45 p.m.

Robert H. Feldman
Executive Director

Transcripts of these hearings may be obtained directly from Doris Levine, the Official Court Reporter, (415) 456-9899.

SF

# MINUTES OF THE
# MEETING OF THE BOARD OF PERMIT APPEALS
# WEDNESDAY, MAY 6, 1992
# 5:30 P.M., ROOM 282, CITY HALL

(1) Informational presentation by Mary Gallagher, planner, of the Department of City Planning, of the Recode Project and the "How to Use the City Planning Code" guides.

(2) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKERS:** None.

MAY 15 1992

(3) **MATTERS FOR CONSIDERATION, REQUESTS FOR REHEARING AND OTHER CORRESPONDENCE:**

**REQUESTS FOR JURISDICTION BEYOND FIFTEEN-DAY APPEAL PERIOD:**

**ITEM A:** Letter from Philip L. Asiano, attorney for William B. Griffin, requesting that the Board take jurisdiction over Building Permit Application No. 9105034S to erect a building at 2101 Beach Street.

| | |
|---|---|
| Date issued | July 15, 1991 |
| Appeal period ended | July 30, 1991 |
| Request for jurisdiction | April 13, 1992 |

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **DENY** the request for jurisdiction.

**ITEM B:** Letter from Chi Ping Hsin, requesting that the Board take jurisdiction over Building Permit Application No. 9120536 to alter a building at 3773 Sacramento Street, formerly Marshall Hale Hospital.

| | |
|---|---|
| Date issued | February 4, 1992 |
| Appeal period ended | February 19, 1992 |
| Request for jurisdiction | April 10, 1992 |

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **DENY** the request for jurisdiction with findings as stated by President Eisenberg.

**SPEAKERS:** Chi Ping Hsin, requester; Harry O'Brien, attorney for permit holder; Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection; and Robert Passmore, Zoning Administrator for Department of City Planning.

**APPEAL NO. 92-060**

(4) RONALD D. MORGAN, Appellant
vs.
SAN FRANCISCO POLICE DEPARTMENT, Respondent

[Denial on March 19, 1992, [of Pushcart Peddler permit [for the "Hot Dog Palace" [at 7th and 16th Streets. [FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Vice President Bradstreet, the Board voted 5-0 to **OVERRULE** the department and **GRANT** the permit with findings as stated by Vice President Bradstreet.

**SPEAKERS:** Jeffrey Barker, attorney for S.F.P.D.; and Ronald Morgan, appellant.

**Items 5, 6, 7 were considered together by the Board with no opposition from the departments or the public.**

**APPEAL NO. 92-061**

(5) ED SULLIVAN, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Appealing for Refund of [Penalty imposed on February [12, 1992, for work done at [3724 - 3726 Webster Street. [ELEC. PERMIT NO. E99093. [FOR HEARING TODAY.

**ACTION:** Upon motion by President Eisenberg, the Board voted 5-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $65.25 for a total of $130.50.

**SPEAKERS:** None.

**APPEAL NO. 92-064**

(6) SANONG TAVEEKOON, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Imposition of Penalty on [April 14, 1992, for work [done at 3225 Lincoln Way. [APPLICATION NO. 9118268. [FOR HEARING TODAY.

**ACTION:** Upon motion by President Eisenberg, the Board voted 5-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $112.13 for a total of $224.26.

**SPEAKERS:** None.

**APPEAL NO. 92-065**

(7) MICHAEL K. C. YEE, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Imposition of Penalty on
[April 7, 1992, for work
[done at 1730 - 42nd Avenue.
[APPLICATION NO. 9116569.
[FOR HEARING TODAY.

**ACTION:** Upon motion by President Eisenberg, the Board voted 5-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $371.80 for a total of $743.60.

**SPEAKERS:** None.

**APPEAL NO. 92-063**

(8) KARIN FIDRYCH, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Appealing for Refund of
[Penalty imposed on April 3,
[1992, for work done at
[1069-B Broadway Street.
[APPLICATION NO. 9204949.
[FOR HEARING TODAY.

**ACTION:** Upon motion by Vice President Bradstreet, the Board voted 5-0 **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $142.68 for a total of $285.36.

**SPEAKERS:** None.

**APPEAL NO. 92-062**

(9) CHRISTOPHER & VIRGINIA LANE,
Appellants
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on
[March 30, 1992, to
[Karin Fidrych, permit to
[Alter a Building at
[1069-B Broadway Street.
[APPLICATION NO. 9201672.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Felzer, the Board voted 5-0 to **UPHOLD** the deparment and **GRANT** the permit with findings as stated by President Eisenberg.

**SPEAKERS:** Brian Connors, attorney for appellant; Christopher Lane, appellant; Karin Fidrych, permit holder; Ethan Cliffton, architect for permit holder; Mary Louise and Leon Fidrych, Ken West, in support of the project; Robert Passmore, Zoning Administrator for Department of City Planning; Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection.

**The Board recessed from 6:50 p.m. to 7:04 p.m.**

**APPEAL NO. 92-050**

(10) ALLAN & LORRAINE THOMPSON, Appellants
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL

[Denial on March 13, 1992, of
[permit to Alter a Building at
[1401 - 1407 Mariposa Street.
[APPLICATION NO. 8915850.
[FOR HEARING TODAY.

**ACTION:** **CONTINUED** to **October 21, 1992** to allow the appellant to seek a parking variance.

**SPEAKERS:** Barry Pearl, Planner for Department of City Planning; Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection; Claire Pilcher, attorney for permit holder; Robert Passmore, Zoning Administrator for Department of City Planning; and Robert Bossi, in favor of the project.

**The Board recessed from 8:01 to 8:08 p.m.**

**APPEAL NO. 92-053**

(11) NANCY NIELSEN & GEORGE BONILLA, Appellants
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on
[March 10, 1992, to Joel and
[Loris Lipski, permit to Alter
[a Building at 775 University St.
[APPLICATION NO. 9112526.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Felzer, the Board voted 5-0 to **UPHOLD** the department and **GRANT** the permit with the **CONDITION** that the plans are revised to clarify the roof height.

**SPEAKERS:** George Bonilla and Nancy Nielsen, appellants; Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection; Robert Passmore, Zoning Administrator for Department of City Planning; John Schlenke, architect for permit holder; and Joel Lipski, permit holder.

**APPEAL NO. V92-054**

(12) THOMAS & KAREN SMITH, Appellants
vs.
ZONING ADMINISTRATOR, Respondent

[Denial on March 17, 1992,
[of variance to Enclose a
[Portion of the Upper Deck,
[sought for property located
[at 1275 Stanyan Street.
[VARIANCE CASE NO. 91.406V.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **OVERRULE** the Zoning Administrator and **GRANT** the variance with the understanding that the enclosed deck is part of the owner's unit which is the conforming unit in the buiding. The non-conforming units cannot be expanded.

**SPEAKERS:** Robert Passmore, Zoning Administrator for Department of City Planning; and Thomas Smith, appellant.

**APPEAL NO. V92-059**

(13) S.F. TOMMORROW, Appellant
vs.
ZONING ADMINISTRATOR, Respondent

[Protesting granting on March [1992, to the City and County [of San Francisco, a variance to [construct an approximately [397,000 gross square foot public [library, including auditorium, [library and small amounts of retail [and restraurant use without any [public accessible parking spaces. [VARIANCE CASE NO. 90.808EVC. [FOR HEARING TODAY.

**ACTION:** **CONTINUED** prior to hearing to **May 13, 1992** at the request of the San Francisco Public Library with agreement of appellant.

(14) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKERS:** None.

There being no further business, President Eisenberg adjourned the meeting at 9:07 p.m.

Robert H. Feldman
Executive Director

Transcripts of these hearings may be obtained directly from Doris Levine, the Official Court Reporter, (415) 456-9899.

SF
F
30
3
12/92

# MINUTES OF THE MEETING OF THE BOARD OF PERMIT APPEALS WEDNESDAY, MAY 13, 1992 5:30 P.M., ROOM 282, CITY HALL

**PRESENT:** President Neil Eisenberg, Vice President Angela Bradstreet, Commissioners Wayne Alba and Ike Felzer.

Robert Passmore, Zoning Administrator for Department of City Planning; Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection; Judith Boyajian, Deputy City Attorney; and Robert Feldman, Executive Director for the Board.

Doris Levine, Official Court Reporter.

**ABSENT:** Commissioner Juanita Owens.

MAY 20 1992

(1) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKERS:** Andrew Nash, President of San Francisco Tomorrow; Dale Carlson, member of San Francisco Public Library Commission; and President Neil Eisenberg. The SFT and and the library representatives explained the circumstances of their agreement which led to the withdrawal of the SFT protest appeal (Item No. 9).

**The Board recessed from 5:47 to 5:52 p.m.**

(2) **MATTERS FOR CONSIDERATION, REQUESTS FOR REHEARING AND OTHER CORRESPONDENCE:**

**REQUESTS FOR JURISDICTION BEYOND FIFTEEN-DAY APPEAL PERIOD:**

**ITEM A:** Letter from Joseph Kouyoumjian, requesting that the Board take jurisdiction over denial of Building Permit Application No. 8903165 to alter a building at 185 Kensington Way.

| | |
|---|---|
| Date of denial | March 10, 1992 |
| Appeal period ended | March 25, 1992 |
| Request for jurisdiction | April 23, 1992 |

**ACTION:** After discussion, upon motion by Commissioner Felzer, the Board voted 4-0 to **GRANT** jurisdiction. Mr. Kouyoumjian has 15 days to file an appeal.

**SPEAKER:** Robert Passmore, Zoning Administrator for Department of City Planning.

**ITEM B:** Letter dated May 4, 1992 from John R. Browne, III, attorney for Ardith Patterson, owner of 41-43 Drumm Street, requesting that the Board allow him to join as co-appellant in Appeal No. 91-150 filed by Andre-Boudin Bakeries on August 12, 1991, protesting Demolition Permit Application No. 9011925 to demolish a building at 37-39 Drumm Street. After several continuations the appeal was withdrawn by letter dated May 4, 1992.

| | |
|---|---|
| Date of issue | July 30, 1991 |
| Appeal period ended | August 14, 1991 |
| Request for jurisdiction | May 4, 1992 |

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 4-0 to **GRANT** jurisdiction. Mr. Browne has 15 days to file an appeal.

**APPEAL NO. 92-068**

(3) JEFF SEARS, Appellant
vs.
SAN FRANCISCO POLICE DEPARTMENT

[Denial on April 15, 1992,
[of Pedicab Owner-Amendment
[Permit to extend the route for
["Barbary Coast Pedicab Company".
[FOR HEARING TODAY.

**ACTION:** **CONTINUED** to **June 24, 1992** to allow the appellant to modify the pedicab route amendment.

**SPEAKERS:** The court reporter administered the oath to those who testified. Jeffrey Barker, attorney for S.F.P.D.; Jeff and Elaina Sears, appellants; Rama Ananda, in support of appellant; and Officer John Meek, S.F.P.D.

**Items 4, 5, 6 were considered together by the Board with no opposition from the departments or public.**

**APPEAL NO. 92-067**

(4) CESAR MUGURUSSA, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Imposition of Penalty on
[April 20, 1992, for work
[done at 438 Flood Avenue.
[APPLICATION NO. 9123937.
[FOR HEARING TODAY.

**ACTION:** Upon motion by President Eisenberg, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $61.10 for a total of $122.20.

**SPEAKERS:** None.

**APPEAL NO. 92-069**

(5) MARK MARKOVICH, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Imposition of Penalty on
[April 22, 1992, for work
[done at 2426 Moraga Street.
[ELEC. PERMIT NO. E10138.
[FOR HEARING TODAY.

**ACTION:** Upon motion by President Eisenberg, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $65.25 for a total of $130.50.

**SPEAKERS:** None.

**APPEAL NO. 92-070**

(6) DOUGLASS HANNAH, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Appealing for Refund of Penalty
[imposed on April 16, 1992, for
[for work done at 156 Duncan St.
[APPLICATION NO. 9205417.
[FOR HEARING TODAY.

**ACTION:** Upon motion by President Eisenberg, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $203.78 for a total of $407.56.

**SPEAKERS:** None.

**Items (7A) and (7B) were heard together**

**APPEAL NO. 91-188**

(7A) PATRICK MEDIA GROUP, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL

[Denial on September 13, 1991,
[of permit application to erect
[a general advertising sign in
[a NC-3 zoning district at
[2566 Bayshore Boulevard.
[APPLICATION NO. 9104118.
[FOR HEARING TODAY.

**APPEAL NO. 91-189**

(7B) PATRICK MEDIA GROUP, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL

[Denial on September 13, 1991,
[of permit application to erect
[a general advertising sign in
[a NC-3 zoning district at
[2566 Bayshore Boulevard.
[APPLICATION NO. 9104119.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Vice President Bradstreet, the Board voted 4-0 to **OVERRULE** the Zoning Administrator's determination that a variance cannot be filed, to allow a variance application to be filed by the appellant.

**SPEAKERS** Robert Passmore, Zoning Administrator for Department of City Planning; and James Reuben, attorney for appellant.

**APPEAL NO. 92-066**

(8) MARY E. DENSON, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on April 9, [1992, to Carl and Cristina Wong, [permit to Alter a Building at [634 Athens Street.
[APPLICATION NO. 9021415.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Alba, the Board voted 4-0 to **UPHOLD** the department and grant the permit.

**SPEAKERS:** Mary Denson, appellant; Robert Passmore, Zoning Administrator for Department of City Planning; Lawrence Caray, Bruno Ceccarelli and Edith McMillan, in opposition to the project; and Carl Wong, permit holder.

**APPEAL NO. V92-059**

(9) S.F. TOMMORROW, Appellant
vs.
ZONING ADMINISTRATOR, Respondent

[Protesting granting on March [1992, to the City and County [of San Francisco, a variance to [construct an approximately [397,000 gross square foot public [library, including auditorium, [library and small amounts of retail [and restaurant use without any [public accessible parking spaces [at 100 Larkin Street.
[VARIANCE CASE NO. 90.808EVC.
[FOR HEARING TODAY.

**ACTION:** **WITHDRAWN** prior to hearing by letter dated May 12, 1992.

(10) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKERS:** President Neil Eisenberg asked about departmental responses to the recent civil disturbances as far as permit review is concerned; Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection; and Robert Passmore, Zoning Administrator for Department of City Planning.

There being no further business, President Eisenberg adjourned the meeting at 7:07 p.m.

Robert H. Feldman
Executive Director

Transcripts of these hearings may be obtained directly from Doris Levine, the Official Court Reporter, (415) 456-9899.

F
30
20/92

S.F.

# MINUTES OF THE
# MEETING OF THE BOARD OF PERMIT APPEALS
# WEDNESDAY, MAY 20, 1992
# 5:30 P.M., ROOM 282, CITY HALL

DOCUMENTS DEPT.
MAY 26 1992
SAN FRANCISCO
PUBLIC LIBRARY

**PRESENT:** President Neil Eisenberg, Vice President Angela Bradstreet, Commissioners Wayne Alba, Ike Felzer and Juanita Owens.

Robert Passmore, Zoning Administrator for Department of City Planning; Jim Hutchinson, Senior Building Inspector for Bureau of Building Inspection; Judith Boyajian, Deputy City Attorney; and Robert Feldman, Executive Director for the Board.

Doris Levine, Official Court Reporter.

(1) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKERS:** None.

(2) **MATTERS FOR CONSIDERATION, REQUESTS FOR REHEARING AND OTHER CORRESPONDENCE:**

None.

**APPEAL NO. 92-071**

(3) CARMEN TAPIA, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Imposition of Penalty on
[April 23, 1992, for work
[done at 162 College Avenue.
[APPLICATION NO. 8814339.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Alba, the Board voted 5-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $187.20 for a total of $374.40.

**SPEAKERS:** Jim Hutchinson, Senior Building Inspector for Bureau of Building Inspection; and Al Sanchez, agent for the appellant.

**APPEAL NO. 92-072**

(4) EILEEN LONG, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL

[Denial on April 20, 1992,
[of permit to Alter a Building
[at 957 - 961 Oak Street.
[APPLICATION NO. 9200598.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **CONTINUE** the hearing to **July 22, 1992** and 4-1 (Commissioner Alba

dissented) to adopt President Eisenberg's motion **UPHOLDING** the 1975 Board finding that the subject building is five dwelling units on four floors of occupancy (Appeal No. 7250).

**SPEAKERS:** Robert Passmore, Zoning Administrator for Department of City Planning; Michael Inan, Senior Building Inspector for Bureau of Building Inspection; David Cincotta, attorney for appellant; Judith Boyajian, Deputy City Attorney; and Brian Molony, contractor for permit holder.

**APPEAL NO. 92-058**

(5) BARBARA LYON, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on
[March 20, 1992, to R. Rolla
[Spotts, permit to Erect a
[Fence at 2 Vicksburg Street.
[APPLICATION NO. 9203201.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Owens, the Board voted 5-0 to **UPHOLD** the department and **GRANT** the permit on **CONDITION** that the plans for the fence be revised by the permit holder so that the 15-foot section of the fence opposite the dining room windows of the appellant's house at 3647 - 22nd Street shall be limited to six (6) feet in height from grade.

**SPEAKERS:** Henry Shain, attorney for appellant; Barbara Lyon, appellant; and R. Rolla Spotts, permit holder.

**The Board recessed from 6:52 to 7:00 p.m.**

**APPEAL NO. 92-073**

(6) LARRY ROWELL & LAKESIDE PROPERTY ASSOC., Appellants
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on April
[22, 1992, to Polytimi Reif,
[permit to Alter a Building
[at 360 Stratford Drive.
[APPLICATION NO. 9107740.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **UPHOLD** the department and **GRANT** the permit.

**SPEAKERS:** Thomas Thompson and Leonard Lundgren, appellants; Polytimi Reif, permit holder; Robert Passmore, Zoning Administrator for Department of City Planning; Dorothy Garriott, Marshall Sanders, James Chan, in opposition to the project; Stan Teng, architect for permit holder; and Jerry Klein and Harold McDermitt, in favor of the project.

**The Board recessed from 8:24 to 8:37 p.m.**

**APPEAL NO. 92-074**

(7) ROD & GRACE JEUNG, Appellants
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on April
[23, 1992, to Norman Chow,
[permit to Alter a Building
[at 514 - 12th Avenue.
[APPLICATION NO. 9119253.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **UPHOLD** the department and **GRANT** the permit.

**SPEAKERS:** Rod and Grace Jeung, appellants; Jerry Klein, agent for permit holder; and Walter Wong, architect for permit holder.

**APPEAL NO. 92-075**

(8) DENNIS & DEBORAH ZARAGOZA, Appellants
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on April
[24, 1992, to Alexander Calhoun,
[permit to Alter a Building
[at 3638 Washington Street.
[APPLICATION NO. 9109696.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Felzer, the Board voted 5-0 to **UPHOLD** the department and **GRANT** the permit with findings by President Eisenberg and Vice President Bradstreet.

**SPEAKERS:** Dennis Zaragoza, appellant; Alexander Calhoun, permit holder; Al Lanier, architect for permit holder; Clay Young, contractor for permit holder; Robert Passmore, Zoning Administrator for Department of City Planning; and Jim Hutchinson, Senior Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-076**

(9) LEONARD & KATRINA PRICE, Appellants
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on April
[23, 1992, to Aurora Vitello
[and Maria Martinez, permit
[to Alter a Building at
[1239 - 37th Avenue.
[APPLICATION NO. 9121848.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Vice President Bradstreet, the Board voted 5-0 to **UPHOLD** the department and **GRANT** the permit.

**SPEAKERS:** Leonard and Katrina Price, appellants, Patrick McGrew, architect for permit holder; and Robert Passmore, Zoning Administrator for Department of City Planning.

(10) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKERS:** None.

There being no further business, President Eisenberg adjourned the meeting at 9:53 p.m.

Robert H. Feldman
Executive Director

Transcripts of these hearings may be obtained directly from Doris Levine, the Official Court Reporter, (415) 456-9899.

City Librarian
Attn: Jerry Roth
Document Section, Main Library
*** (2) copies

SF
130
#3
6/17/92

# MINUTES OF THE
# MEETING OF THE BOARD OF PERMIT APPEALS
# WEDNESDAY, JUNE 17, 1992
# 5:30 P.M., ROOM 282, CITY HALL

PRESENT: President Neil Eisenberg, Vice President Angela Bradstreet, Commissioners Wayne Alba, Ike Felzer and Juanita Owens.

Barry Pearl, Planner for Department of City Planning; Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection; Judith Boyajian, Deputy City Attorney; and Robert Feldman, Executive Director for the Board.

Doris Levine, Official Court Reporter.

(1) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

SPEAKERS: None.

DOCUMENTS DEPT.
JUN 23 1992
SAN FRANCISCO
PUBLIC LIBRARY

(2) MATTERS FOR CONSIDERATION, REQUESTS FOR REHEARING AND OTHER CORRESPONDENCE:

REQUESTS FOR REHEARING:

ITEM A: Letter from the Lakeside Property Owners Association requesting rehearing of Appeal No. 92-073, 360 Stratford Drive. Hearing May 20, 1992. After discussion, upon motion by President Eisenberg, the Board voted 5-0 to UPHOLD the department and GRANT the permit.

ACTION: After discussion, upon motion by President Eisenberg, the Board voted 5-0 to DENY the request for rehearing.

SPEAKERS: Bill Schneider, Larry Rowell, Leonard and Jane Lundgren, Thomas Thompson, Marshall Sanders, Ramona Albright and Mary Brum, in opposition to the project; Polytimi Reif, permit holder; Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection; and Judith Boyajian, Deputy City Attorney.

ITEM B: Letter from Dennis Zaragoza requesting rehearing of Appeal No. 92-075, 3638 Washington Street. Hearing May 20, 1992. After discussion, upon motion by Commissioner Felzer, the Board voted 5-0 to UPHOLD the department and GRANT the permit with findings as stated by President Eisenberg and Vice President Bradstreet.

ACTION: After discussion, upon motion by Vice President Bradstreet, the Board voted 5-0 to DENY the request for rehearing.

SPEAKERS: Dennis Zaragoza, appellant; Ken Kurtzman, architect for appellant; Alexander Calhoun, permit holder; and Paul Sherrill, architect for permit holder.

REQUEST FOR JURISDICTION BEYOND FIFTEEN-DAY APPEAL PERIOD:

ITEM C: Letter from Mohsen Assaditabar requesting that the Board take jurisdiction over disapproval of Building Permit Application No. 9104408 to alter a building at 1426 - 21st Avenue.

| | |
|---|---|
| Date of disapproval | December 24, 1991 |
| Appeal period ended | January 8, 1992 |
| Request for jurisdiction | June 10, 1992 |

ACTION: After discussion, upon motion by President Eisenberg, the Board voted 5-0 to GRANT the request for jurisdiction. Mr. Assaditabar has 15 days to file an appeal.

SPEAKER: Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection.

APPEAL NO. 92-081

(3) JANE ALLEN, dba "THE REAL FOOD COMPANY", Appellant
vs.
DEPT. PUBLIC HEALTH, Respondent
CITY PLANNING DISAPPROVAL

[Denial on May 11, 1992, [of Health Permit Application [referral for adding tables and [chairs or seating to a small [self-service restaurant at [1001 Stanyan Street within 1/4 [mile of the Haight Street Neigh- [borhood Commercial Zoning District. [FOR HEARING TODAY.

ACTION: After discussion, upon motion by President Eisenberg, the Board voted 5-0 to OVERRULE the deparment and GRANT the permit with findings as stated by President Eisenberg and Vice President Bradstreet.

SPEAKERS: Steven Tamano, for appellant; Ramona Albright and Larry Bucuvich, in favor of the appeal; Barry Pearl, Planner for Department of City Planning; Grace Hing, Planner for Department of City Planning; Judith Boyajian, Deputy City Attorney; Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection.

**The Board recessed from 7:15 to 7:33 p.m.**

APPEAL NO. 92-084

(4) ROBERT BYRD, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Imposition of Penalty on [May 19, 1992, for work [done at 385 Head Street. [APPLICATION NO. 9111237. [FOR HEARING TODAY.

ACTION: After discussion, upon motion by Commissioner Felzer, the Board voted 5-0 to OVERRULE the department with the CONDITION that the penalty be reduced to two times the regular fee of $164.13 for a total of $328.26.

SPEAKERS: Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection; and Derek Fuqua, for appellant.

APPEAL NO. 92-085

(5) DINESH MANIAR, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING DISAPROVAL

[Denial on May 5, 1992, of
[permit to Alter a Building
[at 2420 Pacific Avenue.
[APPLICATION NO. 9106595.
[FOR HEARING TODAY.

ACTION: CONTINUED to **September 2, 1992** at the request of attorney for appellant to further research applicable F.C.C. regulations. Parties to meet with Planning to work out a compromise. Briefs to be exchanged by August 26, 1992.

SPEAKERS: James Graeb, attorney for appellant; Barry Pearl, Planner for Department of City Planning; Richard Kaplan of the Pacific Heights Residents Association and Justin Cohen, in opposition.

APPEAL NO. 92-048

(6) CLIFF ROBINSON, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on
[March 3, 1992, to Wu Pit
[Chu and Hang Fong, permit
[to Alter a Building at
[344 Marietta Drive.
[APPLICATION NO. 9024555.
[FOR HEARING TODAY.

ACTION: After discussion, upon motion by Commissioner Felzer, the Board voted 5-0 to UPHOLD the department on CONDITION that the plans be revised as recommended by the A.I.A. Advisory Design Review Panel as agreed to by the parties.

SPEAKERS: Gordon Lau, attorney for permit holder; and Dr. Robert Mitchell for appellant.

APPEAL NO. 92-080

(7) JOHN DUGGER, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on April
[29, 1992, to CNS/Sprincin
[No. II, permit to Alter a
[Building at 300 Beale Street.
[APPLICATION NO. 9111163.
[FOR HEARING TODAY.

ACTION: After discussion, upon motion by President Eisenberg, the Board voted 5-0 to UPHOLD the department with findings as stated by President Eisenberg.

SPEAKERS: Charles Sprincin, permit holder; Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection; Marc Janowitz, attorney for appellant; Judith Boyajian, Deputy City Attorney; and John Dugger, appellant. John Brisbon testified on his own behalf and took up a collection.

APPEAL NO. V92-082

(8) JOHN M. COADY, Appellant
vs.
ZONING ADMINISTRATOR, Respondent

[Protesting granting on [May 11, 1992, to Noel and [Pamella Valentine, Rear and [Exposure variances sought for [property at 4010 - 21st Street. [VARIANCE CASE NO. 91.685V. [FOR HEARING TODAY.

ACTION: After discussion, upon motion by Vice President Bradstreet, the Board voted 5-0 to UPHOLD the department with findings as stated by Vice President Bradstreet.

SPEAKERS: John Coady, appellant; Pamella Valentine, property owner; Dorice Murphy in support of the project; and Paul McGinty, in opposition.

APPEAL NO. 92-087

(9) GEORGE BROUSSARD & MOSES GUILLORY, Appellants
vs.
ZONING ADMINISTRATOR, Respondent

[Appealing the Determination [by the Zoning Administrator [dated May 6, 1992, to record on [the land records a Notice of [Termination of Commercial or [Industrial Nonconforming Status [on May 20, 1992 for property [at 1465 - 69 Van Dyke Avenue. [FOR HEARING TODAY.

ACTION: After discussion, upon motion by President Eisenberg, the Board voted 5-0 to UPHOLD the department with findings as stated by President Eisenberg.

SPEAKERS: Moses Guillory, George Broussard, Nathan Broussard, appellants; and Barry Pearl, Planner for Department of City Planning.

(10) Public hearing and consideration of proposed legislation to increase the permit appeal fees as recommended by the Mayor's budget analyst. Copies of the staff report to the Board with proposed fees were available at the office of the Board, Room 154-A, City Hall. This proposal would amend Section 8 of Part III of the San Francisco

Municipal Code. If approved by the Board of Permit Appeals, this proposed legislation would be transmitted to the Board of Supervisors for hearing and consideration of enactment.

ACTION: After discussion, upon motion by President Eisenberg, the Board voted 5-0 to DENY the request to increase permit appeal fees.

SPEAKERS: Edith McMillan, in opposition.

There being no further business, President Eisenberg adjourned the meeting at 10:16 p.m.

Robert H. Feldman
Executive Director

Transcripts of these hearings may be obtained directly from Doris Levine, the Official Court Reporter, (415) 456-9899.

SF
P30
#3
6/24/92
c.2

# MINUTES OF THE

# MEETING OF THE BOARD OF PERMIT APPEALS

## WEDNESDAY, JUNE 24, 1992

## 5:30 P.M., ROOM 282, CITY HALL

DOCUMENTS DEPT.
JUL 1 1992
SAN FRANCISCO
PUBLIC LIBRARY

PRESENT: President Neil Eisenberg, Vice President Angela Bradstreet, Commissioners Wayne Alba and Ike Felzer.

Robert Passmore, Zoning Administrator for Department of City Planning; Frank Chiu, Assistant Superintendent and Jim Hutchinson, Senior Building Inspector for Bureau of Building Inspection; Judith Boyajian, Deputy City Attorney; and Robert Feldman, Executive Director for the Board.

Doris Levine, Official Court Reporter.

ABSENT: Commissioner Juanita Owens.

(1) Informational presentation by Jonathan Bulkley, architect and chair of the Planning and Zoning Committee of the Planning Association of the Richmond on "Additions to Small Residential Buildings".

(2) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

SPEAKERS: Robert Passmore, Zoning Administrator for Department of City Planning commented on new controls for building permits and new construction.

(3) MATTERS FOR CONSIDERATION, REQUESTS FOR REHEARING AND OTHER CORRESPONDENCE:

REQUEST FOR JURISDICTION BEYOND TEN-DAY APPEAL PERIOD:

ITEM A: Letter from Luis Penelas requesting that the Board take jurisdiction over a rear yard variance granted for property located at 43 Santa Marina Street.

| | |
|---|---|
| Date variance granted | March 6, 1992 |
| Appeal period ended | March 16, 1992 |
| Request for jurisdiction | June 10, 1992 |

ACTION: After discussion, upon motion by Vice President Bradstreet, the Board voted 3-1 (Commissioner Felzer dissented) to grant jurisdiction. Four votes are needed to grant jurisdiction and the request is DENIED.

SPEAKERS: Luis Penelas and Robert Passmore, Zoning Administrator.

APPEAL NO. 92-068

(4) JEFF SEARS, Appellant vs. SAN FRANCISCO POLICE DEPARTMENT — [Denial on April 15, 1992, [of Pedicab Owner-Amendment [Permit to extend the route for ["Barbary Coast Pedicab Company". [FOR FURTHER HEARING TODAY.

ACTION: After discussion, upon motion by Commissioner Alba, the Board voted 4-0 to OVERRULE the department and GRANT the extension of the route with findings and conditions by Vice President Bradstreet.

SPEAKERS: Jeff Sears, appellant; Michael Janis for the Port Commission; Jeffrey Barker, attorney for S.F.P.D.; Sergeant Stephen Tacchini, S.F.P.D.; John Jenkel and Deborah Welliber for Levi Strauss in opposition to permit; Rama Ananda, Gilles Cohen in support of appellant.

**The Board recessed from 7:04 to 7:22 p.m.**

APPEAL NO. 92-057

(5) EUGENE SUNGA, Appellant vs. SAN FRANCISCO POLICE DEPARTMENT, Respondent — [Revocation on March 17, 1992, [of Taxicab Permit #743 (DeSoto [Cab Company). [FOR HEARING TODAY.

ACTION: After discussion, upon motion by President Eisenberg, the Board voted 4-0 to UPHOLD the department and REVOKE the taxicab permit.

SPEAKERS: Rodel Rodis, attorney for appellant; Ted Gray of DeSoto Cab for appellant; Jeffrey Barker, attorney for S.F.P.D.; Bharat Shah opposed to appellant; and Officer Farrell Suslow, taxi detail, for S.F.P.D.

APPEAL NO. 92-086

(6) RONNIE G. RYAN, Appellant vs. SAN FRANCISCO POLICE DEPARTMENT, Respondent — [Denial on May 7, 1992, of Second [Hand Dealer permit dba "Hog on [Ice" at 1630 Polk Street. [FOR HEARING TODAY.

ACTION: After discussion, upon motion by President Eisenberg, the Board voted 4-0 to OVERRULE the department and GRANT the permit with the CONDITION that Jerome Bird shall not participate in the sale of second hand merchandise with findings by President Eisenberg.

SPEAKERS: Olivia Lowe Partridge, attorney for appellants; Jeffrey Barker, attorney and Inspector Richard Vankoll for S.F.P.D.; Jerome Bird and Ronnie G. Ryan, appellant.

Items (7A) and (7B) were considered together

APPEAL NO. 91-192

(7A) SUNSET RESIDENTS ASSOCIATION, Appellant vs. DEPT. PUBLIC WORKS, Respondent CITY PLANNING APPROVAL

[Protesting issuance on March [27, 1991, to Phat Kim Phung, [permit to Alter a Building at [1501 - 24th Ave. (add second unit) [APPLICATION NO. 9000079S. [FOR FURTHER HEARING TODAY.

ACTION: After discussion, upon motion by President Eisenberg, the Board CONTINUED the matter to **July 22, 1992** to allow the permit holder to file a revision to the approved set of plans with a set to the neighbors for review with the finding that there is a dispute between the permit holder and the neighborhood association that is subject to cure.

SPEAKERS: Frank Chiu, Assistant Superintendent of the Bureau of Building Inspection; Judith Boyajian, Deputy City Attorney; Robert Passmore, Zoning Administrator for Department of City Planning; Mel Lee, Walter Wong and Harry Ramoni for project sponsor; John Parker, Frank Leeds and Bill Lambert for the Sunset Residents Association.

APPEAL NO. 92-083

(7B) PHAT KIM PHUNG, Appellant vs. DEPT. PUBLIC WORKS, Respondent CITY PLANNING APPROVAL

[Revocation on May 4, 1992, [of permit to Alter a Building [at 1501 - 24th Avenue. [APPLICATION NO. 9000079S. [FOR HEARING TODAY.

ACTION: After discussion, upon motion by President Eisenberg, the Board voted 4-0 to OVERRULE the department and REINSTATE the permit with the finding that there was no violation of the Building Code sufficient to justify revocation based on testimony of expert witnesses and on the letter submitted by the Bureau.

**The Board recessed from 9:37 to 9:44 p.m.**

APPEAL NO. 92-077

(8) LUCIA MALIWAT, Appellant vs. DEPT. PUBLIC WORKS, Respondent CITY PLANNING APPROVAL

[Appealing for Refund of Penalty [imposed on May 13, 1992, for [for work done at 567 Paris Street. [APPLICATION NO. 9205164. [FOR HEARING TODAY.

ACTION: After discussion, upon motion by President Eisenberg, the Board voted 4-0 to OVERRULE the department with the CONDITION that the penalty be reduced to two times the regular fee of $78.98 for a total of $157.96.

SPEAKERS: None.

APPEAL NO. 92-078

(9) GARY BONGARZONE, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Appealing for Refund of Penalty
[imposed on May 13, 1992, for
[for work done at 2211 Polk Street.
[APPLICATION NO. 9206528.
[FOR HEARING TODAY.

ACTION: ADMINISTRATIVELY WITHDRAWN at the request of the department. The staff shall refund the appeal fee at the request of the Board. The Bureau has rescinded its decision to impose a penalty.

APPEAL NO. 92-079

(10) MARY KELLNER, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Appealing for Refund of Penalty
[imposed on May 13, 1992, for
[for work done at 847 Kansas Street.
[APPLICATION NO. 9203418.
[FOR HEARING TODAY.

ACTION: After discussion, upon motion by President Eisenberg, the Board voted 4-0 to OVERRULE the department with the CONDITION that the penalty be two times the revised fee for work totaling $3,428.00.

SPEAKERS: Terrilyn Hanko, partner of appellant and Jim Hutchinson, Senior Building Inspector for Bureau of Building Inspection.

APPEAL NO. 92-088

(11) TIMOTHY E. PELLISSIER, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Imposition of Penalty on
[May 15, 1992, for work done
[at 200 - 202 Fair Oaks Street.
[APPLICATION NO. 9205124.
[FOR HEARING TODAY.

ACTION: After discussion, upon motion by President Eisenberg, the Board voted 4-0 to OVERRULE the department with the CONDITION that the penalty be reduced to two times the regular fee of $96.85 for a total of $193.70.

SPEAKERS: Timothy Pellissier, appellant and Jim Hutchinson, Senior Building Inspector for Bureau of Building Inspection.

(12) **Consideration for Adoption:** Resolution directing the staff to request that parties to protest appeals seek mediation of design issues with the A.I.A. Advisory Design Review Panels.

ACTION: After discussion, upon motion by President Eisenberg, the Board voted 4-0 to ADOPT the resolution.

There being no further business, President Eisenberg adjourned the meeting at 10:16 p.m.

Robert H. Feldman
Executive Director

Transcripts of these hearings may be obtained directly from Doris Levine, the Official Court Reporter, (415) 456-9899.

City Librarian
Attn: Jerry Roth
Document Section, Main Library
*** (2) copies

SF
SF
330
F3
7/8/92

# MINUTES OF THE
# MEETING OF THE BOARD OF PERMIT APPEALS
# WEDNESDAY, JULY 8, 1992
# 5:30 P.M., ROOM 282, CITY HALL

**PRESENT:** President Neil Eisenberg, Vice President Angela Bradstreet, Commissioners Wayne Alba and Ike Felzer.

Robert Passmore, Zoning Administrator for Department of City Planning; Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection; Judith Boyajian, Deputy City Attorney; and Robert Feldman, Executive Director for the Board.

Doris Levine, Official Court Reporter.

DOCUMENTS DEPT.
JUL 20 1992
SAN FRANCISCO
PUBLIC LIBRARY

**ABSENT:** Commissioner Juanita Owens.

(1) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKERS:** None.

(2) **MATTERS FOR CONSIDERATION, REQUESTS FOR REHEARING AND OTHER CORRESPONDENCE:**

**REQUEST FOR JURISDICTION BEYOND FIFTEEN-DAY APPEAL PERIOD:**

**ITEM A:** Letter from Suheil Shatara, representative for Mary Garis, requesting that the Board take jurisdiction over Building Permit Application No. 9113985 to alter a building at 3668 - 26th Street.

| | |
|---|---|
| Date of suspension | April 22, 1992 |
| Appeal period ended | May 7, 1992 |
| Request for jurisdiction | June 30, 1992 |

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 4-0 to **GRANT** jurisdiction. Mr. Shatara has 15 days to file an appeal.

**SPEAKERS:** John Angelopulos, permit holder.

**REQUEST FOR REHEARING DELIVERED LATE:**

**ITEM B:** Letter from Robert Passmore, requesting rehearing of Appeal No. 92-081, 1001 Stanyan Street. Hearing June 17, 1992. After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **OVERRULE** the department and **GRANT** the permit with findings as stated by President Eisenberg and Vice President Bradstreet.

| | |
|---|---|
| Date of hearing | June 17, 1992 |
| Last day to request rehearing | June 29, 1992 |
| Request for rehearing | June 30, 1992 |

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 4-0 to **DENY** the request for rehearing. President Eisenberg directed the staff to require the appellant to record a Notice of Special Restrictions on the land records containing the conditions of approval imposed by the Board.

**SPEAKER:** Robert Passmore, Zoning Administrator for Department of City Planning.

**APPEAL NO. 92-097**

(3) ASUNCION YAP, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Imposition of Penalty on
[June 2, 1992, for work done
[at 2740 - 2746 Harrison Street.
[APPLICATION NO. 9206749.
[FOR HEARING TODAY.

**ACTION:** **ADMINISTRATIVELY WITHDRAWN** at request of Bureau of Building Inspection. Commissioners Alba and Felzer strongly urged the Bureau to reduce the fee to $19.50 based on the value of the work done.

**SPEAKERS:** Asuncion Yap, appellant; and Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-091**

(4) JOSEPH KOUYOUMJIAN, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL

[Denial on March 26, 1992,
[of permit to Alter a Building
[at 185 Kensington Way.
[APPLICATION NO. 8903165.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 4-0 to **OVERRULE** the department with findings and **GRANT** the permit with the **CONDITION** that a Notice of Special of Restrictions shall be recorded to insure single family use only and modified plans filed showing deletion of the wet bars in the two lower bedroom areas.

**SPEAKERS:** Robert Passmore, Zoning Administrator for Department of City Planning; Ramona Albright for appellant; and Joseph Kouyoumjian, appellant.

**APPEAL NO. 92-092**

(5) ARDITH PATTERSON, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on July 30,
[1991, to The Shorenstein Company,
[permit to Demolish a Building
[at 37 - 39 Drumm Street.
[APPLICATION NO. 9011925.
[FOR HEARING TODAY.

**ACTION:** **WITHDRAWN** prior to hearing.

**APPEAL NO. 92-093**

(6) HANS A. MADER, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on May 14, [1992, to John and Amporn Lein- [inger, permit to Alter a Build- [ing at 18 Sequoia Way. [APPLICATION NO. 9109197. [FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Vice President Bradstreet, the Board voted 4-0 to **UPHOLD** the department with findings by Vice President Bradstreet and **GRANT** the permit with the **CONDITION** that the revised plans are used.

**SPEAKERS:** Hans Mader, appellant; Julius Escontrias, Dan Liebertson, Kathy Rollins, Jacqueline Proctor, Joli Lockley, in opposition; Robert Passmore, Zoning Administrator for Department of City Planning; John Leininger, permit holder; Joe O'Donoghue, Vic Milhoan, Matt Smyth, John O'Neill, in favor of the project.

**The Board recessed from 7:32 to 7:40 p.m.**

**Items (7A) and (7B) were heard together**

**APPEAL NO. 92-095**

(7A) JAN MISCH, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on May 20, [1992, to the 665 Bush Street Inc., [permit to Demolish a Building [at 667 Bush Street. [APPLICATION NO. 9120575. [FOR HEARING TODAY.

**APPEAL NO. 92-098**

(7B) JAN MISCH, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on May 20, [1992, to the 665 Bush Street Inc., [permit to Demolish a Building [at 665 Bush Street. [APPLICATION NO. 9121010. [FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 4-0 **UPHOLD** the department and **GRANT** the permit with findings by President Eisenberg.

**SPEAKERS:** Chantal Meers, new general manager of the Vintage Court Hotel and appellant; Michael Fowler, architect for permit holder; and Laurence Kornfield, Chief Building Inspector for Bureau of Building Inspection.

Items (8A), (8B), (8C), (8D) shall be heard together

**APPEAL NO. 92-106**

(8A) BEN LEE, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on May 27, [1992, to Anatoly Elkinbard, [permit to Demolish a Building [at 2927 Larkin Street. [APPLICATION NO. 9109301. [FOR HEARING TODAY.

**APPEAL NO. 92-107**

(8B) BEN LEE, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on May 27, [1992, to Anatoly Elkinbard, [permit to construct a new [one-family house at [2927 Larkin Street. [APPLICATION NO. 9109304. [FOR HEARING TODAY.

**APPEAL NO. 92-110**

(8C) BRUNO & ADA CARAMATTI, Appellants
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on May 27, [1992, to Anatoly Elkinbard, [permit to Demolish a Building [at 2927 Larkin Street. [APPLICATION NO. 9109301. [FOR HEARING TODAY.

**APPEAL NO. 92-111**

(8D) BRUNO & ADA CARAMATTI, Appellants
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on May 27, [1992, to Anatoly Elkinbard, [permit to construct a new [one-family house at [2927 Larkin Street. [APPLICATION NO. 9109304. [FOR HEARING TODAY.

**ACTION:** **CONTINUED** prior to hearing to **July 22, 1992** for mediation with the A.I.A. at the suggestion of President Eisenberg and Vice President Bradstreet.

(9) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKERS:** None.

There being no further business, President Eisenberg adjourned the meeting at 8:00 p.m.

Robert H. Feldman
Executive Director

Transcripts of these hearings may be obtained directly from Doris Levine, the Official Court Reporter, (415) 456-9899.

City Librarian
Document Section, Main Library
Attn: Jerry Roth
*** 2 copies

SF
SF
030
#3
1/22/92

# MINUTES OF THE
# MEETING OF THE BOARD OF PERMIT APPEALS
# WEDNESDAY, JULY 22, 1992
# 5:30 P.M., ROOM 282, CITY HALL

**PRESENT:** President Neil Eisenberg, Vice President Angela Bradstreet, Commissioners Wayne Alba and Ike Felzer.

Robert Passmore, Zoning Administrator for Department of City Planning; William Schock, Senior Building Inspector for Bureau of Building Inspection; Judith Boyajian, Deputy City Attorney; and Robert Feldman, Executive Director for the Board.

Doris Levine, Official Court Reporter.

DOCUMENTS DEPT.
AUG 06 1992
SAN FRANCISCO
PUBLIC LIBRARY

**ABSENT:** Commissioner Juanita Owens.

(1) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKERS:** None.

(2) **MATTERS FOR CONSIDERATION, REQUESTS FOR REHEARING AND OTHER CORRESPONDENCE:**

**REQUEST FOR REHEARING:**

**ITEM A:** Letter from Jeffrey Barker, attorney for S.F.P.D., requesting rehearing of Appeal No. 92-068, Barbary Coast Pedicab. Hearing June 24, 1992. After discussion, upon motion by Commissioner Alba, the Board voted 4-0 (Commissioner Owens absent) to **OVERRULE** the department and grant the extension of the route with findings and conditions by Vice President Bradstreet.

**ACTION:** Request for rehearing **WITHDRAWN** by Mr. Barker at hearing. The Board directed the staff to include in the findings for the decision the language concerning the appellant's obligation to follow the regulations of the Port Commission.

**SPEAKER:** Viki Thurston of Travelodge Hotel, in opposition to the permit.

**REQUEST FOR JURISDICTION BEYOND FIFTEEN-DAY APPEAL PERIOD:**

**ITEM B:** Letter from Felix Lim requesting the Board take jurisdiction over Building Permit Application No. 9201446 to alter a building at 2620 Judah Street.

| | |
|---|---|
| Date of issuance | May 28, 1992 |
| Appeal period ended | June 12, 1992 |
| Request for jurisdiction | July 2, 1992 |

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 4-0 to **GRANT JURISDICTION**. Mr. Lim has 15 days to file an appeal.

**SPEAKERS:** Felix Lim, requestor; Robert Passmore, Zoning Administrator for Department of City Planning; William Schock, Senior Building Inspector for Bureau of Building Inspection; and Judith Boyajian, Deputy City Attorney.

**APPEAL NO. 91-192**

(3)

SUNSET RESIDENTS ASSOCIATION, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on March
[27, 1991, to Phat Kim Phung,
[permit to Alter a Building at
[1501 - 24th Ave. (add second unit)
[APPLICATION NO. 9000079S.
[FOR FURTHER HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 4-0 to **UPHOLD** the department with the **CONDITION** that the revised plans showing bay windows are used.

**SPEAKERS:** Mel Lee, architect for permit holder; and John Parker, appellant.

**APPEAL NO. 92-072**

(4)

EILEEN LONG, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL

[Denial on April 20, 1992,
[of permit to Alter a Building
[at 957 - 961 Oak Street.
[APPLICATION NO. 9200598.
[FOR FURTHER HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 4-0 to **OVERRULE** the department and **GRANT** the permit with findings to be submitted by appellant's counsel for adoption by the Board.

**SPEAKERS:** Robert Passmore, Zoning Administrator for Department of City Planning; David Cincotta, attorney for appellant; and William Schock, Senior Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-102**

(5)

ROSA & JUAN ORTEGA, Appellants
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Imposition of Penalty on
[May 20, 1992, for work done
[at 22 - 24 Lucky Street.
[APPLICATION NO. 9205321.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Felzer, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** that the regular fee is revised to $40.00 and the penalty reduced to two times the regular fee for a total of $80.00.

**SPEAKERS:** Carlo Ortega, nephew of appellant; and William Schock, Senior Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-100**

(6) JAMES SEETO, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on May 28, 1992, to Peter Frenkel, permit to Demolish a Building at 153 Cook Street. APPLICATION NO. 9022534. FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 4-0 to **UPHOLD** the department and **GRANT** the permit.

**SPEAKERS:** James Seeto, appellant; and Peter Frenkel, permit holder.

**APPEAL NO. 92-101**

(7) HUS TIGLI & JERRY KAPLAN, Appellants
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on May 21, 1992, to Dennis Calvert, permit to Alter a Building at 1033-35-37 Lombard Street. APPLICATION NO. 9206464. FOR HEARING TODAY.

**ACTION:** After discussion, upon motion Commissioner Felzer, the Board voted 4-0 to **CONTINUE** the hearing to **August 12, 1992** to allow for a site visit by Commissioner Felzer, the Executive Director, and Pat Redmond, Building Inspector on August 3, 1992 at 4:00 p.m.

**SPEAKERS:** Andy Forrest, civil engineer for appellant; Hus Tigli, appellant; Dale Meyer, architect for permit holder; Dennis Calvert, permit holder; and Robert Passmore, Zoning Administrator for Department for City Planning.

**Items (8A), (8B), (8C), (8D) were heard together**

**APPEAL NO. 92-106**

(8A) BEN LEE, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on May 27, 1992, to Anatoly Elkinbard, permit to Demolish a Building at 2927 Larkin Street. APPLICATION NO. 9109301. FOR HEARING TODAY.

**APPEAL NO. 92-107**

(8B) BEN LEE, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on May 27, 1992, to Anatoly Elkinbard, permit to construct a new one-family house at 2927 Larkin Street. APPLICATION NO. 9109304. FOR HEARING TODAY.

**APPEAL NO. 92-110**

(8C) BRUNO & ADA CARAMATTI, Appellants
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on May 27, [1992, to Anatoly Elkinbard, [permit to Demolish a Building [at 2927 Larkin Street. [APPLICATION NO. 9109301. [FOR HEARING TODAY.

**APPEAL NO. 92-111**

(8D) BRUNO & ADA CARAMATTI, Appellants
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on May 27, [1992, to Anatoly Elkinbard, [permit to construct a new [one-family house at [2927 Larkin Street. [APPLICATION NO. 9109304. [FOR HEARING TODAY.

**ACTION:** **CONTINUED** prior to hearing to **August 12, 1992** to allow the AIA Advisory Review Panel to meet with the parties.

**The Board recessed from 7:07 p.m. to 7:21 p.m.**

**APPEAL NO. 92-108**

(9) JUN KAI ZHENG, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CTIY PLANNING APPROVAL

[Protesting issuance on June 4, [1992, to Natividad Mariano, [permit to Alter a Building [at 124 Duncan Street. [APPLICATION NO. 9116187. [FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Alba the Board voted 4-0 to **UPHOLD** the department and **GRANT** the permit with findings as stated by President Eisenberg and the **CONDITION** that the permit holder work with the building department to install a lightwell opposite the kitchen and the bathroom windows of the appellant's building.

**SPEAKERS:** Sing Ching, relative of appellant; Michael Zhao, appellant; Natividad Mariano, permit holder; Robert Passmore, Zoning Administrator for Department of City Planning.

**APPEAL NO. 92-112**

(10) ANNA M. KEISTER, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on May 29, [1992, to Joseph Pat Robertson, [permit to Alter a Building [at 126 Beaver Street. [APPLICATION NO. 9116128. [FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 4-0 to **UPHOLD** the department and **GRANT** the permit. The appellant did not appear.

**SPEAKER:** Joseph Pat Robertson, permit holder.

**APPEAL NO. 92-129**

(11) GREATER WEST PORTAL NEIGHBORHOOD ASSOCIATION, Respondent
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on June 22, [1992, to Barry Kane, permit [to Demolish a Building at [14 Edgehill Way. [APPLICATION NO. 9019891. [FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Alba, the Board voted 4-0 to **UPHOLD** the department and **GRANT** the permit with findings as stated by President Eisenberg.

**SPEAKERS:** Robert Passmore, Zoning Administrator for Department of City Planning; Bud Wilson and Kathy Darby, appellants; Anna Kane, permit holder; Joe O'Donoghue, Donald Marcus, Jenny Sangiacomo, George Bovone, Yvonne Sangiacomo, Dr. Al Oliva, Jim Sangiacomo, Dee Minor, Clara Giannini, Charlotte Oliva, in favor of the project; Howard Strassner, Herbert Grunion, Marjory Frankel, Ramona Albright, in opposition; Kenneth Jung, architect for permit holder.

**Items (12A) and (12B) were heard together**

**APPEAL NO. V92-104**

(12A) GEORGE HAUSER, Appellant
vs.
ZONING ADMINISTRATOR, Respondent

[Appealing Condition No. 1 [of Rear Yard and Exposure [Variances granted on May 29, [1992, for property located [at 1009 Francisco Street. [VARIANCE CASE NO. 91.344V. [FOR HEARING TODAY.

**APPEAL NO. V92-105**

(12B) SIESEL MAIBACH, Appellant
vs.
ZONING ADMINISTRATOR, Respondent

[Appealing Conditions 3, 13 [and 16 of variances granted [on May 29, 1992, to George [Hauser, sought for property [located at 1009 Francisco Street. [VARIANCE CASE NO. 91.344V. [FOR HEARING TODAY.

**ACTION:** Both appeals **WITHDRAWN** prior to hearing by letter dated **July 17, 1992.**

(13) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKERS:** None.

There being no further business, President Eisenberg adjourned the meeting at 9:11 p.m.

Robert H. Feldman
Executive Director

Transcripts of these hearings may be obtained directly from Doris Levine, the Official Court Reporter, (415) 456-9899.

City Librarian
Document Section, Main Library
Attn: Jerry Roth
*** 2 copies

SF
F
30
3
7/29/92

# MINUTES OF THE MEETING OF THE BOARD OF PERMIT APPEALS WEDNESDAY, JULY 29, 1992 5:30 P.M., ROOM 282, CITY HALL

DOCUMENTS DEPT.
AUG 05 1992
SAN FRANCISCO
PUBLIC LIBRARY

**PRESENT:** President Neil Eisenberg, Vice President Angela Bradstreet, Commissioners Wayne Alba, Ike Felzer and Juanita Owens.

Robert Passmore, Zoning Administrator for Department of City Planning; William Schock, Senior Building Inspector for Bureau of Building Inspection; Judith Boyajian, Deputy City Attorney; and Robert Feldman, Executive Director for the Board.

Doris Levine, Official Court Reporter.

(1) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKERS:** None.

(2) **MATTERS FOR CONSIDERATION, REQUESTS FOR REHEARING AND OTHER CORRESPONDENCE:**

**REQUEST FOR REHEARING:**

**ITEM A:** Letter from Robert Passmore, Zoning Administrator for Department of City Planning requesting rehearing of Appeal No. 92-091, 185 Kensington Way. Hearing July 8, 1992. After discussion, upon motion by President Eisenberg, the Board voted 4-0 (Commissioner Owens absent) to **OVERRULE** the department with findings and **GRANT** the permit with the **CONDITION** that a Notice of Special Restrictions shall be recorded to insure single family use only and modified plans filed showing deletion of wet bars in the two lower bedroom areas.

**ACTION:** **WITHDRAWN** prior to hearing by Department of City Planning (Barry Pearl).

**REQUEST FOR JURISDICTION BEYOND APPEAL PERIOD:**

**ITEM B:** Letter from Peter Kuhlman, requesting that the Board take jurisdiction over a rear yard variance granted for property located at 3988 - 20th Street (Variance Case No. 91.143V).

| | |
|---|---|
| Date of decision | November 12, 1991 |
| Appeal period ended | November 22, 1991 |
| Request for jurisdiction | July 22, 1992 |

**ACTION:** After discussion, upon motion by Commissioner Felzer, the Board voted 5-0 to **GRANT** jurisdiction. Mr. Kuhlman has 10 days to file an appeal.

**SPEAKERS:** Peter Kuhlman and Ophelia Ramirez, requestors; and Robert Passmore, Zoning Administrator for Department of City Planning.

**The Board recessed from 5:45 to 5:47 p.m. to allow for S.F.P.D. to be called to remove man in need of professional assistance.**

**ITEM C:** Letter from Agnes Tui, requesting that the Board take jurisdiction over penalty imposed for work done at 124 Harvard Street (Building Permit Application No. 9209168).

| | |
|---|---|
| Date penalty imposed | June 29, 1992 |
| Appeal period ended | July 14, 1992 |
| Request for jurisdiction | July 22, 1992 |

**ACTION:** After discussion, upon motion by Commissioner Felzer, the Board voted 5-0 to **GRANT** jurisdiction. Ms. Tui has 15 days to file an appeal.

**APPEAL NO. 92-109**

(3) SEDDON CONSTRUCTION CO., Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Appealing for Refund of
[Penalty imposed on June 1,
[1992, for work done at
[2628 Broderick Street.
[APPLICATION NO. 9208420.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Alba, the Board voted 5-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to five times the revised fee for work totaling $1,500.00.

**SPEAKERS:** Robert Seddon, appellant; and William Schock, Senior Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-114**

(4) YUK-MUI TSE, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Imposition of Penalty on
[June 8, 1992, for work
[done at 1459 - 42nd Avenue.
[APPLICATION NO. 9206083.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the revised fee for work totaling $5,000.00.

**SPEAKERS:** Dan Chang, agent for appellant; William Schock, Senior Building Inspector for Bureau of Building Inspection; and Judith Boyajian, Deputy City Attorney.

**APPEAL NO. 92-115**

(5) LAURA MILLER, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Appealing for Refund of
[Penalty imposed on June 24,
[1992, for work done at
[449 Bryant Street.
[APPLICATION NO. 9208450.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee for work totaling $1,500.00.

**SPEAKERS:** Laura Miller, appellant; and William Schock, Senior Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-117**

(6) MICHAEL ARRAJJ, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Imposition of Penalty on
[June 24, 1992, for work done
[at 1550 Grove Street.
[APPLICATION NO. 9113587.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $127.40 for a total of $254.80.

**SPEAKERS:** Michael Arrajj, appellant; and William Schock, Senior Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-118**

(7) JAY A. BRUNNER, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Imposition of Penalty on
[June 18, 1992, for work done
[at 2201 Francisco Street.
[APPLICATION NO. 9208948.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $25.32 for a total of $50.70.

**SPEAKER:** Jay Brunner, appellant.

**The Board recessed from 6:42 to 6:55 p.m.**

**APPEAL NO. 92-119**

(8) ZHI QUING LIU, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Appealing for Refund of
[Penalty imposed on June 24,
[1992, for work done at
[425 - 31 Buchanan Street.
[APPLICATION NO. 8919036.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $397.80 for a total of $795.60.

**SPEAKER:** Jack Rosenstein, agent for appellant.

**APPEAL NO. 92-120**

(9) ALBA MALDONADO, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Imposition of Penalty on
[June 17, 1992, for work
[done at 252 Richland Avenue.
[APPLICATION NO. 9206176.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $264.88 for a total of $529.76.

**SPEAKERS:** Lizette Maldonado, appellant's daughter; and William Schock, Chief Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-137**

(10) DAVID STEINBERG, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Imposition of Penalty on
[June 30, 1992, for work
[done at 1457 - 63 Valencia St.
[PLUMBING CHARGE NO. 09029.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Alba, the Board voted 5-0 to **UPHOLD** the department and **SUSTAIN** the penalty.

**SPEAKERS:** David Steinberg, appellant; William Schock, Senior Building Inspector for Bureau of Building Inspection; Eric Dickson, Plumbing Inspector and Tom Lehane, Chief Plumbing Inspector.

**APPEAL NO. 92-096**

(11) ANNE C. DUNPHY, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on May 18,
[1992, to Lewis Warren, permit
[to Alter a Building at
[347 - 349 Lombard Street.
[APPLICATION NO. 9108278S.
[FOR HEARING TODAY.

**ACTION:** **CONTINUED** to **August 12, 1992** for a site visit on **August 3, 1992** by Commissioners Felzer and Owens. Commissioner Alba will visit the site on his own prior to the next meeting.

**SPEAKERS:** Daniel and Anne Dunphy, appellants; Bruce Bonacker, architect for permit holder; Lewis and Robin Warren, Michael Hamman, permit holders; Scott Churchill, architect for appellant; Bill Fink, Stephen Steczynski, Kath-

erine Donnelly, Judy Kamstra, Ken Scudder, Billy Atlas, Rodolfo Razo, in opposition; Robert Passmore, Zoning Administrator for Department of City Planning; and Judith Boyajian, Deputy City Attorney.

**The Board recessed from 8:16 to 8:25 p.m.**

(12) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

SPEAKERS: None.

There being no further business, President Eisenberg adjourned the meeting at 9:18 p.m.

Robert H. Feldman
Executive Director

Transcripts of these hearings may be obtained directly from Doris Levine, the Official Court Reporter, (415) 456-9899

City Librarian
Document Section, Main Library
Attn: Jerry Roth
*** 2 copies

SF
SF
30
3
8/12/92

# MINUTES OF THE
# MEETING OF THE BOARD OF PERMIT APPEALS
## WEDNESDAY, AUGUST 12, 1992
## 5:30 P.M., ROOM 282, CITY HALL

DOCUMENTS DEPT.
AUG 20 1992
SAN FRANCISCO
PUBLIC LIBRARY

**PRESENT:** President Neil Eisenberg, Vice President Angela Bradstreet, Commissioners Wayne Alba, Ike Felzer and Juanita Owens.

Robert Passmore, Zoning Administrator for Department of City Planning; William Schock, Senior Building Inspector for Bureau of Building Inspection; Judith Boyajian, Deputy City Attorney; and Robert Feldman, Executive Director for the Board.

Doris Levine, Official Court Reporter.

(1) Presentation by the Bureau of Building Inspection (BBI) of the Department of Public Works on the process of imposing investigation fees (penalties) for work done without permit.

**SPEAKER:** Senior Inspector William Schock reported that BBI was in the process of revising their penalty proceeds along the lines suggested by the Board to ease the process for innocent new property owners.

(2) **MATTERS FOR CONSIDERATION, REQUESTS FOR REHEARING AND OTHER CORRESPONDENCE:**

**REQUESTS FOR JURISDICTION BEYOND FIFTEEN-DAY APPEAL PERIOD:**

**ITEM A:** Letter from Thalia DeWolf requesting that the Board take jurisdiction over penalty imposed for work done at 47 Costa Street (Building Permit Application No. 9122810).

| | |
|---|---|
| Date penalty imposed | June 1, 1992 |
| Appeal period ended | June 16, 1992 |
| Request for jurisdiction | July 24, 1992 |

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **GRANT** jurisdiction. Ms. DeWolf has 15 days to file an appeal. The Board requested that BBI work with the Executive Director to see if the entire penalty can be waived, making an appeal unnecessary.

**SPEAKERS:** Thalia DeWolf, requestor; and Judith Boyajian, Deputy City Attorney.

**ITEM B:** Letter from Gerald D. Twidwell requesting that the Board take jurisdiction over denial of Building Permit Application No. 9124094 to alter a building at 1396 and 1398 Shafter Street.

| | |
|---|---|
| Date of denial | May 5, 1992 |
| Appeal period ended | May 20, 1992 |
| Request for jurisdiction | July 28, 1992 |

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **GRANT** jurisdiction. Mr. Twidwell has 15 days to file an appeal.

**SPEAKER:** Gerald Twidwell, requestor.

**REQUEST FOR REHEARING:**

**ITEM C:** Letter from Steven L. Vettel, attorney for permit holder, Natividad Mariano, requesting hearing of Appeal No. 92-108, 124 Duncan Street. Hearing July 22, 1992. After discussion, upon motion by Commissioner Alba, the Board voted 4-0 (Commissioner Owens absent) to **UPHOLD** the department and **GRANT** the permit with findings by President Eisenberg on **CONDITION** that the permit holder work with the building department to install a lightwell opposite the kitchen and bathroom windows of the appellant's building.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **GRANT** rehearing. Scheduled for hearing on **September 9, 1992.**

**SPEAKERS:** Steven Vettel, attorney for permit holder; Sing Chin, agent for appellant; and Michael Zheng, appellant.

**ADOPTION OF FINDINGS:**

**ITEM D:** Appeal No. 92-072, 957 - 961 Oak Street. Hearing May 20, 1992. After discussion, upon motion by President Eisenberg, the Board voted 4-1 (Commissioner Alba dissented) to **UPHOLD** the 1975 Board finding that the subject building is five dwelling units on four floors of occupancy (Appeal No. 7250). Further hearing July 22, 1992. After discussion, upon motion by President Eisenberg, the Board voted 4-0 (Commissioner Owens absent) to **OVERRULE** the department and **GRANT** the permit.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **ADOPT** the amended findings.

**SPEAKERS:** The Executive Director described the amended language; the draft was approved by the City Attorney's office.

**APPEAL NO. 92-096**

(3) ANNE C. DUNPHY, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on May 18, 1992, to Lewis Warren, permit to Alter a Building at 347 - 349 Lombard Street. APPLICATION NO. 9108278S. FOR FURTHER HEARING TODAY.

**ACTION:** Commissioner Felzer reported on the site visit at the garden. Commissioner Felzer then made a motion to move the hearing to September 2, 1992 and President Eisenberg ruled that the motion was improper; no vote was taken and the further hearing is set for September 9, 1992.

**SPEAKER:** Lewis Warren, permit holder.

**APPEAL NO. 92-101**

(4) HUS TIGLI & JERRY KAPLAN, Appellants
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on May 21, 1992, to Dennis Calvert, permit to Alter a Building at 1033-35-37 Lombard Street. APPLICATION NO. 9206464. FOR FURTHER HEARING TODAY.

**ACTION:** **WITHDRAWN** by Hus Tigli prior to hearing.

**The Board recessed from 7:00 to 7:17 p.m.**

**APPEAL NO. 92-094**

(5) PAMELA ALLIO, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Appealing for Refund of Penalty imposed on August 27, 1991, for work done at 186 Idora Avenue. APPLICATION NO. 9008609. FOR HEARING TODAY.

**ACTION:** **ADMINISTRATIVELY WITHDRAWN** by William Schock, Senior Building Inspector for Bureau of Building Inspection, for the reason that the penalty will be dropped by BBI.

**SPEAKER:** Pamela Allio, appellant.

**APPEAL NO. 92-140**

(6) DAN-CHING LAU, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Appealing for Refund of Penalty imposed on July 15, 1992, for work done at 1950 Ulloa Street. APPLICATION NO. 9122545. FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $356.53 for a total of $713.06.

**SPEAKERS:** None.

**APPEAL NO. 92-116**

(7) MOHSEN ASSADITABAR, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL

[Denial on December 24, 1991,
[of permit to Alter a Building
[at 1424 - 21st Avenue.
[APPLICATION NO. 9104408.
[FOR HEARING TODAY.

**ACTION:** **WITHDRAWN** prior to hearing by appellant.

**APPEAL NO. 92-123**

(8) VLADIMIR BARANOWSKI, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL

[Denial on June 16, 1992, of
[permit to Alter a Building
[at 716 - 718 Clayton Street.
[APPLICATION NO. 9115443.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **OVERRULE** the department and to approve the permit with the following **CONDITIONS:** the storage rooms shall not exceed the minimum requirements under the Building Code; remove closet and carpeting; recordation of a Notice of Special Restrictions to indicate that the storage area is not for habitation; the partitions are allowed to remain; and the windows shall be boarded.

**SPEAKERS:** Robert Passmore, Zoning Administrator for Department of City Planning; Vladimir Baranowski, appellant; Emanuel Pun, architect for appellant; and William Schock, Senior Building Inspector for Bureau of Building Inspection.

**The Board recessed from 8:29 to 8:32 p.m.**

**APPEAL NO. 92-122**

(9) JUDITH MacMILLAN, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on June
[17, 1992, to Glenda Mitchell,
[permit to Alter a Building
[at 1234 Chestnut Street.
[APPLICATION NO. 9118891.
[FOR HEARING TODAY.

**ACTION:** **CONTINUED TO CALL OF THE CHAIR** after the hearing to allow for a variance to be sought by the permit holder and for A.I.A. mediation of design issues.

**SPEAKERS:** Robert Passmore, Zoning Administrator for Department of City Planning; David Teeter, architect for permit holder; Judith Boyajian, Deputy City Attorney; William Schock, Senior Building Inspector for Bureau of Building Inspection; F. Joseph Butler, in opposition to the project; and Glenda Mitchell, permit holder.

**APPEAL NO. 92-138**

BETTY WINNING & DENIS GLEASON, Appellants
(10) vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on July [1, 1992, to Lucien Kremer, [permit to Alter a Building [at 182 Duncan Street. [APPLICATION NO. 8924526. [FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Vice President Bradstreet, the Board voted 5-0 to **UPHOLD** the department and **GRANT** the permit with findings as stated by Vice President Bradstreet.

**SPEAKERS:** Betty Winning and Denis Gleason, appellants; and Joe O'Donoghue for permit holder.

(11) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKER:** Edith McMillan.

There being no further business, President Eisenberg adjourned the meeting at 9:21 p.m.

Robert H. Feldman
Executive Director

Transcripts of these hearings may be obtained directly from Doris Levine, the Official Court Reporter, (415) 456-9899.

SF
P30
#3
8/19/92

# MINUTES OF THE MEETING OF THE BOARD OF PERMIT APPEALS WEDNESDAY, AUGUST 19, 1992 5:30 P.M., ROOM 282, CITY HALL

**PRESENT:** President Neil Eisenberg, Commissioners Wayne Alba, Ike Felzer and Juanita Owens.

Mary Gallagher, Planner for Department of City Planning; William Schock, Senior Building Inspector for Bureau of Building Inspection; and Robert Feldman, Executive Director for the Board.

Doris Levine, Official Court Reporter.

DOCUMENTS DEPT.
SEP 3 1992
SAN FRANCISCO

**ABSENT:** Vice President Angela Bradstreet.

(1) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKER:** Ramona Albright made comments on the A.I.A. Advisory Design Review Panels and their procedures.

(2) **MATTERS FOR CONSIDERATION, REQUESTS FOR REHEARING AND OTHER CORRESPONDENCE:**

**REQUEST FOR JURISDICTION BEYOND FIFTEEN-DAY APPEAL PERIOD:**

**ITEM A:** Letter from Richard Knight, Managing Director for the El Drisco Hotel, requesting that the Board take jurisdiction over conditions imposed for health permit referral for full service restaurant at 2901 Pacific Avenue.

| | |
|---|---|
| Date of decision | February 27, 1992 |
| Appeal period ended | March 13, 1992 |
| Request for jurisdiction | August 11, 1992 |

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 4-0 to **GRANT** jurisdiction. Mr. Knight has 15 days to file an appeal.

**SPEAKERS:** Richard Knight, requestor; Mary Gallagher, Planner for Department of City Planning; Sandra Kirshenbaum, Howard Shuman, Steve Lampen and Joanne Lampen, in opposition to the request.

**Items (3A) and (3B) were heard together**

**APPEAL NO. 92-133**

(3A) JOAN CHIPSER, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Revocation on June 22, 1992,
[of permit to Alter a Building
[at 52 Buena Vista Terrace.
[APPLICATION NO. 9000498S.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 4-0 to **OVERRULE** the department and **REINSTATE** the permit with findings by President Eisenberg.

**The Board recessed from 6:56 to 7:06 p.m.**

**APPEAL NO. 92-013**

(3B) CONCERNED CITIZENS OF BUENA VISTA TERRACE, Appellants vs. DEPT. PUBLIC WORKS, Respondent CITY PLANNING APPROVAL

[Protesting issuance on January [7, 1992, to Joan Chipser, [permit to Alter a Building [at 52 Buena Vista Terrace. [APPLICATION NO. 9113774. [FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 4-0 to **CONTINUE** the matter to **September 2, 1992** for a site visit and possible expedited mediation with the AIA.

**SPEAKERS:** William Schock, Senior Building Inspector for Bureau of Building Inspection; Walter Wong for permit holder; Jim Hutchinson, Senior Building Inspector for Bureau of Building Inspection; Joan Chipser, permit holder; Sarah Blackstone and Leo Gotelli, in favor of the project; Dale Kobler, Kathryn Carroll, George Robinson, Alex Catanian, and Ramona Albright, in opposition to the project.

**APPEAL NO. 92-099**

(4) ERNA SUE GRISSOM, Appellant vs. DEPT. PUBLIC WORKS, Respondent

[Protesting issuance on May 20, [1992, to William L. Finley, [permit to Alter a Building [at 1143 - 47th Avenue. [APPLICATION NO. 9208286. [FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Felzer, the Board voted 4-0 to **UPHOLD** the department and **GRANT** the permit with the **CONDITION** that the appellant be allowed to remain in the apartment while repairs are made.

**SPEAKERS:** Sue Grissom, appellant; Carl Drye, in opposition the project; and William Finley, permit holder.

**Items (5A) and (5B) were heard together**

**APPEAL NO. 92-134**

(5A) 1180 - 1182 GUERRERO HOMEOWNERS ASSOCIATION, Appellant vs. DEPT. PUBLIC WORKS, Respondent CITY PLANNING APPROVAL

[Protesting issuance on June [24, 1992, to David Sternberg, [permit to Demolish a Building [at 3624 - 24th Street. [APPLICATION NO. 9116707. [FOR HEARING TODAY.

**APPEAL NO. 92-135**

1180 - 1182 GUERRERO HOMEOWNERS ASSOCIATION, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on June 5B) [24, 1992, to David Sternberg, [permit to Erect a Building [at 3624 - 24th Street. [APPLICATION NO. 9116708S. [FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 4-0 to **UPHOLD** the department and **GRANT** the permits with findings by President Eisenberg.

**SPEAKERS:** David Baer and Polly Dinkel, appellants; David Cincotta, attorney for permit holder; David Sternberg, permit holder; Pam Hemphill and Robert Liner, former owners of the property; and Harvey Rudman, permit holder.

(6) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKERS:** None.

There being no further business, President Eisenberg adjourned the meeting at 8:55 p.m.

Robert H. Feldman
Executive Director

Transcripts of these hearings may be obtained directly from Doris Levine, the Official Court Reporter, (415) 456-9899.

SF
P30
#3
9/2/92

SF

DOCUMENTS DEPT.
SEP 15 1992
SAN FRANCISCO
PUBLIC LIBRARY

# MEETING OF THE BOARD OF PERMIT APPEALS

## WEDNESDAY, SEPTEMBER 2, 1992

## 5:30 P.M., ROOM 282, CITY HALL

Minutes

**PRESENT:** President Neil Eisenberg, Vice President Angela Bradstreet, Commissioners Wayne Alba, Ike Felzer and Juanita Owens.

Mary Gallagher, Planner for Department of City Planning; Jim Hutchinson, Senior Building Inspector for Bureau of Building Inspection; and Robert Feldman, Executive Director for the Board.

Doris Levine, Official Court Reporter.

(1) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKERS:** None.

(2) **MATTERS FOR CONSIDERATION, REQUESTS FOR REHEARING AND OTHER CORRESPONDENCE:**

None.

**APPEAL NO. 92-013**

(3) CONCERNED CITIZENS OF BUENA VISTA TERRACE, Appellants
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on January 7, 1992, to Joan Chipser, permit to Alter a Building at 52 Buena Vista Terrace. APPLICATION NO. 9113774. FOR FURTHER HEARING TODAY.

**ACTION:** After discussion upon motion by President Eisenberg, the Board voted 5-0 to **UPHOLD** the department with findings and the following **CONDITIONS:** the permit holder shall replace walls and fences removed without permission of neighbors according to Building Code standards; and Bureau of Building Inspection shall not issue a Certificate of Occupancy for 52 Buena Vista until the repairs to the abutting properties are made.

**SPEAKERS:** Mel Lee, agent for permit holder; Ramona Albright for appellant; Kathryn Carroll, George Robinson, Alex Captanian, Margaret Sigel and Richard Stelk, in opposition to the project; Mary Gallagher, Planner for Department of City Planning.

**The Board recessed from 6:55 to 7:10 p.m.**

APPEAL NO. 92-052

(4) PETER & PATRICIA MASCHI, Appellants
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on
[March 16, 1992, to James and
[Leena Krasno, permit to Alter
[a Building at 1549 - 16th Ave.
[APPLICATION NO. 9023807.
[FOR FURTHER HEARING TODAY.

**ACTION:** After discussion, upon motion by Vice President Bradstreet, the Board voted 5-0 to **UPHOLD** the department with findings and the **CONDITION** that the plans are revised as recommended by the AIA.

**SPEAKERS:** James Lyons, representative from AIA; Gerald Tiernan, attorney for appellant; Alphonso Chan, Chris Christensen, Margaret Sigel, Don Speckman, Mike Cafiso, Harlan Barlow, Carolyn Chan, in opposition to the project; Alice Barkley, attorney for permit holder; John Walsh, architect for permit holder; Mary Gallagher, Planner for Department of City Planning; and Bob Sacchitti, neutral party.

APPEAL NO. 92-085

(5) DINESH MANIAR, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING DISAPROVAL

[Denial on May 5, 1992, of
[permit to Alter a Building
[at 2420 Pacific Avenue.
[APPLICATION NO. 9106595.
[FOR FURTHER HEARING TODAY.

**ACTION:** **CONTINUED** prior to hearing to **September 23, 1992** by James Graeb, attorney for appellant.

APPEAL NO. 92-125

(6) GILLES COHEN, Appellant
vs.
SAN FRANCISCO POLICE DEPARTMENT
Respondent

[Denial on June 16, 1992, of
[Vehicle for Hire Non-motorized
[(Horse Drawn) Permit.
[FOR HEARING TODAY.

**ACTION:** **CONTINUED** at hearing to **September 23, 1992** to allow attendance from City Attorney's office.

**SPEAKERS:** Jeffrey Barker, attorney for S.F.P.D.; Michael Janis, Port of San Francisco, in opposition; and Gilles Cohen, appellant.

APPEAL NO. 92-130

(7) ADNAN AWADALLA, dba "IRVING PIZZA",
Appellant
vs.
SAN FRANCISCO POLICE DEPARTMENT,
Respondent

[Denial on June 30, 1992, of
[Mechanical Amusement Device
[Permit at 1825 Irving Street.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **OVERRULE** the department and **GRANT** the permit with findings by Commissioner Owens and the **CONDITION** that that the machines shall not be in operation during school hours.

**SPEAKERS:** Jeffrey Barker, attorney for S.F.P.D.; and Adnan Awadalla, appellant.

**APPEAL NO. 92-139**

(8)

KENNETH JONG, dba "FIELDER'S CHOICE", Appellant
vs.
SAN FRANCISCO POLICE DEPARTMENT, Respondent

[Denial on July 14, 1992, of
[Mechanical Amusement Device
[Permit at 5491 Mission Street.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 4-1 (Commissioner Alba dissented) to **OVERRULE** the department and **GRANT** the permit with findings by President Eisenberg and Vice President Bradstreet.

**SPEAKERS:** Jeffrey Barker, attorney for S.F.P.D.; and Kenneth Jong, appellant.

**APPEAL NO. 92-142**

(9)

JUNE TRAN VANH, dba "METAL RECYCLING, INC.", Appellant
vs.
SAN FRANCISCO POLICE DEPARTMENT, Respondent

[Denial on July 16, 1992,
[of Junk Dealer Permit
[at 1438 Donner Avenue.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Vice President Bradstreet, the Board voted 5-0 to **UPHOLD** the department and **DENY** the permit.

**SPEAKERS:** Jeffrey Barker, attorney for S.F.P.D., Michael Bernick, attorney for appellant; June Tran Vanh, appellant; Officer Michael Mahoney, permit officer at Potrero Station.

**The Board recessed from 9:59 to 10:00 p.m.**

**APPEAL NO. 92-121**

(10)

SPECK CAB CO., dba "VETERANS TAXICAB COMPANY", Appellant
vs.
SAN FRANCISCO POLICE DEPARTMENT, Respondent

[Protesting issuance on June 16,
[1991, of Change of Color Scheme
[Permit to James O'Connor dba
["International Cab Company".
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **UPHOLD** the department and **GRANT** the permit with findings by President Eisenberg and Vice President Bradstreet.

**SPEAKERS:** Officer Farrell Suslow, for S.F.P.D. taxi detail; Robert Tollen, attorney for appellant; Clifford O'Neal in support of appellant; Ronald Miller, attorney for permit holder; and James O'Connor, permit holder.

**APPEAL NO. 92-143**

(11) JACOB SHANI, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Appealing for Refund of
[Penalty imposed on July 13,
[1992, for work done at
[211 Powell Street.
[APPLICATION NO. 9209611.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Felzer, the Board voted 5-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee for actual work totalling $1,000.00.

**SPEAKERS:** Jim Hutchinson, Senior Building Inspector for Bureau of Building Inspection; and Jacob Shani, appellant.

**APPEAL NO. 92-141**

(12) ANTHONY W. LEE, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on July 8,
[1992, to James and Mildred Woo,
[permit to Alter a Building at
[6224 California Street.
[APPLICATION NO. 9208482.
[FOR HEARING TODAY.

**ACTION:** **CONTINUED** to **October 14, 1992** for report by Department of City Planning on conducting a business in a residential zoning district and a site visit by Commissioner Felzer and the Executive Director on **September 8, 1992.**

**SPEAKERS:** David Lee for appellant; Alice Hill, in opposition to the project; William Huggins, attorney for permit holder; and James and Mildred Woo, permit holders.

(13) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKERS:** None.

There being no further business, President Eisenberg adjourned the meeting at 11:23 p.m.

Robert H. Feldman
Executive Director

Transcripts of these hearings may be obtained directly from Doris Levine, the Official Court Reporter, (415) 456-9899.

City Librarian
Document Section, Main Library
Attn: Jerry Roth
*** 2 copies

SF
SF
30
3
9/9/92
2

# MINUTES OF THE MEETING OF THE BOARD OF PERMIT APPEALS WEDNESDAY, SEPTEMBER 9, 1992 5:30 P.M., ROOM 282, CITY HALL

DOCUMENTS DEPT.
SEP 21 1992
SAN FRANCISCO
PUBLIC LIBRARY

**PRESENT:** President Neil Eisenberg, Vice President Angela Bradstreet, Commissioners Wayne Alba, Ike Felzer and Juanita Owens.

Robert Passmore, Zoning Administrator for Department of City Planning; William Schock, Chief Building Inspector for Bureau of Building Inspection; and Robert Feldman, Executive Director for the Board.

Doris Levine, Official Court Reporter.

(1) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKERS:** Edith McMillian reporting on AIA mediation procedures.

(2) **MATTERS FOR CONSIDERATION, REQUESTS FOR REHEARING AND OTHER CORRESPONDENCE:**

**ITEM A:** Appeal No. 92-072, 957 - 961 Oak Street. Hearing May 20, 1992. After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **CONTINUE** the hearing to **July 22, 1992** and 4-1 (Commissioner Alba dissented) to adopt President Eisenberg's motion **UPHOLDING** the 1975 Board finding that the subject building is five dwelling units on four floors of occupancy. After discussion **July 22, 1992,** upon motion by President Eisenberg, the Board voted 4-0 (Commissioner Owens absent) to **OVERRULE** the department and **GRANT** the permit with findings to be submitted by appellant's counsel for adoption by the Board. Upon motion by President Eisenberg, the Board voted 5-0 to **ADOPT** findings **August 12, 1992.**

(i) **ADOPTION OF AMENDED FINDINGS** (ii) **REQUEST FOR REHEARING**

**ACTION:** (i) After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **ADOPT** amended findings dated August 27, 1992.

(ii) The request for rehearing was withdrawn by the Department of City Planning.

**REQUEST FOR REHEARING:**

**ITEM B:** Letter from Department of City Planning requesting rehearing of Appeal No. 92-123, 716 - 718 Clayton Street. Hearing August 12, 1992. After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **OVERRULE** the department and to approve the permit with the following **CONDITIONS:** the storage rooms shall not exceed the minimum requirements under the Building Code; remove closet and carpeting; recordation of a Notice of Special Restrictions to indicate that the storage area is not for habitation; the partitions are allowed to remain; and the windows shall be boarded.

**ACTION:** The request for rehearing was **WITHDRAWN** by Department of City Planning at hearing.

**REQUEST FOR JURISDICTION BEYOND FIFTEEN-DAY APPEAL PERIOD:**

**ITEM C:** Letter from John L. Artal, requesting that the Board take jurisdiction over penalty imposed for work done at 1248 Hampshire Street.

| | |
|---|---|
| Date penalty imposed | June 15, 1992 |
| Appeal period ended | June 30, 1992 |
| Request for jurisdiction | August 25, 1992 |

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **GRANT** jurisdiction. Mr. Artal has 15 days to file an appeal.

**SPEAKER:** John Artal, requestor.

**APPEAL NO. 92-096**

(3) ANNE C. DUNPHY, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on May 18, [1992, to Lewis Warren, permit [to Alter a Building at [347 - 349 Lombard Street. [APPLICATION NO. 9108278S. [FOR FURTHER HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **UPHOLD** the department with findings and **GRANT** the permit.

**SPEAKERS:** Tom Lippe, attorney for appellant; Barbara Solomon and Bob McAllister, in opposition to the project; Lewis Warren, permit holder; Bruce Bonacker, architect for permit holder; Robert Passmore, Zoning Administrator for Department of City Planning; Scott Churchill, architect for appellant; and John Hood, architect for permit holder.

**APPEAL NO. 92-108**

(4) JUN KAI ZHENG, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CTIY PLANNING APPROVAL

[Protesting issuance on June 4, [1992, to Natividad Mariano, [permit to Alter a Building [at 124 Duncan Street. [APPLICATION NO. 9116187. [FOR REHEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **UPHOLD** the department with the **CONDITIONS** agreed to by the parties.

**SPEAKERS:** Bee Chin, for appellant; Natividad Mariano, permit holder; and William Schock, Chief Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-149**

(5) ROBERT J. PRIMUS, dba "VIDEOLAND", Appellant
vs.
SAN FRANCISCO POLICE DEPARTMENT, Respondent

[Denial on July 16, 1992, of
[Mechanical Amusement Device
[Permit at 4636 - 3rd Street.
[FOR HEARING TODAY.

**ACTION:** **CONTINUED** to **September 30, 1992** at hearing to allow attendance of all interested parties.

**APPEAL NO. 92-145**

(6) FRANK A. RAVETTI, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Imposition of Penalty on
[July 22, 1992, for work
[done at 268 Dalewood Way.
[APPLICATION NO. 9210518.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **UPHOLD** the department and **SUSTAIN** the penalty.

**SPEAKERS:** Frank Ravetti, appellant; William Schock, Chief Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-146**

(7) HARRY CHIN, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Appealing for Refund of
[Penalty imposed on July 22,
[1992, for work done at
[1005 Hyde Street.
[APPLICATION NO. 9207027.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee for work totalling $5,500.00.

**SPEAKERS:** Harry Chin, appellant; and William Schock, Chief Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-147**

(8) JOHN SWAYZE & JAMES DRALEY, Appellants
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Imposition of Penalty on
[July 17, 1992, for work done
[at 1565 - 1567 Masonic Avenue.
[APPLICATION NO. 9117735.
[FOR HEARING TODAY.

**ACTION:** **ADMINISTRATIVELY WITHDRAWN** at hearing by Bureau of Building Inspection.

**APPEAL NO. 92-150**

(9) HELA CAMPBELL, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Imposition of Penalty on
[July 21, 1992, for work done
[at 1669 Bush Street.
[APPLICATION NO. 9122225.
[FOR HEARING TODAY.

**ACTION:** **ADMINISTRATIVELY WITHDRAWN** at hearing by Bureau of Building Inspection.

**APPEAL NO. 92-151**

(10) TJONG SEM LIONG, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Imposition of Penalty on
[July 28, 1992, for work done
[at 837 Laguna Honda Blvd.
[APPLICATION NO. 9123889.
[FOR HEARING TODAY.

**ACTION:** **ADMINISTRATIVELY WITHDRAWN** at hearing by Bureau of Building Inspection.

**APPEAL NO. 92-144**

(11) JOHN AGELOPULOS, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Suspension on April 22, 1992,
[of permit to Alter a Building
[at 3669 - 26th Street.
[APPLICATION NO. 9113985.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 3-2 (Vice President Bradstreet and Commissioner Felzer dissented) to **UPHOLD** the department and **DENY** the permit.

**SPEAKERS:** Robert Passmore, Zoning Administrator for Department of City Planning; Suheil Shatara, for appellant; John Agelopulos, appellant; Marty Zeick, in opposition to the awning; William Schock, Chief Buidling Inspector for Bureau of Building Inspection.

**The Board recessed from 7:09 to 7:21 p.m.**

**Items (12A), (12B), (12C), (12D) shall be heard together**

**APPEAL NO. 92-106**

(12A) BEN LEE, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on May 27,
[1992, to Anatoly Elkinbard,
[permit to Demolish a Building
[at 2927 Larkin Street.
[APPLICATION NO. 9109301.
[FOR HEARING TODAY.

**APPEAL NO. 92-107**

(12B) BEN LEE, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on May 27, [1992, to Anatoly Elkinbard, [permit to construct a new [one-family house at [2927 Larkin Street. [APPLICATION NO. 9109304. [FOR HEARING TODAY.

**APPEAL NO. 92-110**

(12C) BRUNO & ADA CARAMATTI, Appellants
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on May 27, [1992, to Anatoly Elkinbard, [permit to Demolish a Building [at 2927 Larkin Street. [APPLICATION NO. 9109301. [FOR HEARING TODAY.

**APPEAL NO. 92-111**

(12D) BRUNO & ADA CARAMATTI, Appellants
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on May 27, [1992, to Anatoly Elkinbard, [permit to construct a new [one-family house at [2927 Larkin Street. [APPLICATION NO. 9109304. [FOR HEARING TODAY.

**ACTION:** **CONTINUED** to **September 23, 1992** for submission of revised plans and the written agreement.

**SPEAKERS:** Jerry Klein, agent for appellant; Tom Haran, for all appellants; Ben Lee, Bruce and Ada Carmamatti, appellants; and William Schock, Chief Building Inspector for Bureau of Building Inspection.

**Commissioner Owens departed at 8:30 p.m.**

**APPEAL NO. 92-148**

(13) FELIX LIM, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on May [28 1992, to Paul C. Wang, [permit to Alter a Building [at 2620 Judah Street. [APPLICATION NO. 9201446. [FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Felzer, the Board voted 4-0 (Commissioner Owens absent) to **UPHOLD** the the department and **GRANT** the permit.

**SPEAKERS:** Felix Lim, appellant; Lincoln Lue, architect for permit holder; and Paul and Clare Wang, permit holders.

**APPEAL NO. 92-152**

(14) EMANUEL CHURCH OF GOD IN CHRIST, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on July 14, [1992, to the Elmer J. Towle [Estate c/o Pacific Property Asset [Management, permit to Demolish [a Building at 1530 Fell Street. [APPLICATION NO. 9209707. [FOR HEARING TODAY.

**ACTION:** After discussion, upon motion motion by President Eisenberg, the Board voted 5-0 to **UPHOLD** the department and **GRANT** the permit with **CONDITIONS** agreed to by the parties prior to hearing.

**SPEAKERS:** Peter O'Hara, for permit holder; and Robert Turner, for appellant.

(15) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKERS:** None.

There being no further business, President Eisenberg adjourned the meeting at 8:48 p.m.

Robert H. Feldman
Executive Director

Transcripts of these hearings may be obtained directly from Doris Levine, the Official Court Reporter, (415) 456-9899.

SF
P30
#3
9/23/92

SF

# MINUTES OF THE
# MEETING OF THE BOARD OF PERMIT APPEALS
# WEDNESDAY, SEPTEMBER 23, 1992
# 5:30 P.M., ROOM 282, CITY HALL

DOCUMENTS DEPT.
OCT 01 1992
SAN FRANCISCO
PUBLIC LIBRARY

**PRESENT:** President Neil Eisenberg, Vice President Angela Bradstreet, Commissioners Wayne Alba and Ike Felzer.

Robert Passmore, Zoning Administrator for Department of City Planning; William Schock, Chief Building Inspector for Bureau of Building Inspection; Kate Herrmann Stacy, Deputy City Attorney; and Robert Feldman, Executive Director for the Board.

Doris Levine, Official Court Reporter.

**ABSENT:** Commissioner Juanita Owens.

(1) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKERS:** President Eisenberg reported on AIA meeting conducted earlier in the week. Robert Passmore, Zoning Administrator reported that a variance hearing was held and site inspection scheduled for next week for 1234 Chestnut Street.

(2) **MATTERS FOR CONSIDERATION, REQUESTS FOR REHEARING AND OTHER CORRESPONDENCE:**

**REQUEST FOR JURISDICTION BEYOND FIFTEEN-DAY APPEAL PERIOD:**

**ITEM A:** Letter from Peter Keresztury requesting that the Board take jurisdiction over penalty imposed for work done at 17 Osgood Place.

| | |
|---|---|
| Date penalty imposed | August 14, 1992 |
| Appeal period ended | August 31, 1992 |
| Request for jurisdiction | September 9, 1992 |

**ACTION:** After discussion, upon motion by Commissioner Felzer, the Board voted 4-0 to **GRANT** jurisdiction. Mr. Keresztury has 15 days to file an appeal.

**SPEAKER:** William Schock, Chief Building Inspector for Bureau of Building Inspection.

**REQUESTS FOR REHEARING:**

**ITEM B:** Letter from Peter and Patricia Maschi requesting rehearing of Appeal No. 92-052, 1549 - 16th Avenue. Hearing September 2, 1992. After discussion, upon motion by Vice President Bradstreet, the Board voted 5-0 to **UPHOLD** the department with finding and the **CONDITION** that the plans are revised as recommended by the AIA.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 4-0 to **DENY** the request for rehearing.

**SPEAKERS:** Peter and Patricia Maschi, appellants; and Leena Krasno, permit holder.

**ITEM C:** Letter from Jeffrey R. Barker, attorney for S.F.P.D., requesting rehearing of Appeal No. 92-130, 1825 Irving Street. Hearing September 2, 1992. After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **OVERRULE** the department and **GRANT** the permit with findings by Commissioner Owens and the **CONDITION** that the machines shall not be in operation during school hours.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 4-0 to **DENY** the request for rehearing.

**SPEAKER:** Jeffrey Barker, attorney for S.F.P.D.

**ITEM D:** Letter from Jeffrey R. Barker, attorney for S.F.P.D., requesting rehearing of Appeal No. 92-139, 5491 Mission Street. Hearing September 2, 1992. After discussion, upon motion by President Eisenberg, the Board voted 4-1 (Commissioner Alba dissented) to **OVERRULE** the department and **GRANT** the permit with findings by President Eisenberg and Vice President Bradstreet.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 4-0 to **DENY** the request for rehearing.

**SPEAKER:** Jeffrey Barker, attorney for S.F.P.D.

**ITEM E:** Letter from Claire C. Pilcher, attorney for appellants, requesting rehearing of Appeal No. 92-013, 52 Buena Vista Terrace. Hearing September 2, 1992. After discussion upon motion by President Eisenberg, the Board voted 5-0 to **UPHOLD** the department with findings and the following **CONDITIONS:** the permit holder shall replace walls and fences removed without permission of neighbors according to Building Code standards; and Bureau of Building Inspection shall not issue a Certificate of Occupancy for 52 Buena Vista until the repairs to the abutting properties are made.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 4-0 to **DENY** the request for rehearing. The permit holder stipulated that the repairs to the neighbors' fence and walls would be made and that a temporary fence would be put up along Ms. Carroll's property line in the near future.

**SPEAKERS:** Ramona Albright and Richard Stelk, in opposition; Robert Passmore, Zoning Administrator for Department of City Planning; William Schock, Chief Building Inspector for Bureau of Building Inspection; Melvin Lee, agent for permit holder; and Joan Chipser, permit holder.

**The Board recessed from 7:02 to 7:17 p.m.**

**APPEAL NO. 92-085**

(3) DINESH MANIAR, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL

[Denial on May 5, 1992, of
[permit for satellite dish
[antenna at 2420 Pacific Avenue.
[APPLICATION NO. 9106595.
[FOR FURTHER HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 4-0 to **OVERRULE** the department and **GRANT** the permit with the following **CONDITIONS:** submission of revised plans to move the satellite dish to the northeast corner of the roof; the move shall occur within 60 days of the issuance of permit; and concerned neighbors shall be allowed to review the plans.

**SPEAKERS:** Robert Passmore, Zoning Administrator for Department of City Planning; Justin Cohen, Ramona Albright, Greg Scott, in opposition to the satellite dish; and James Graeb, attorney for appellant.

**APPEAL NO. 92-125**

(4) GILLES COHEN, Appellant
vs.
SAN FRANCISCO POLICE DEPARTMENT
Respondent

[Denial on June 16, 1992, of
[Vehicle for Hire Non-motorized
[(Horse Drawn) Permit.
[FOR FURTHER HEARING TODAY.

**ACTION;** After discussion, upon motion by Vice President Bradstreet, the Board voted 4-0 to **OVERRULE** the department and **GRANT** the permit on the **CONDITION** that the appellant is not required to have a staging area, and he shall seek a white zone in front of 1333 Columbus together with the restaurant operator there, and he shall obey all traffic laws.

**SPEAKERS:** Jeffrey Barker, attorney for S.F.P.D.; Gilles Cohen, appellant; and Birute Cassidy, in support of the appellant.

**Items (5A), (5B), (5C), (5D) shall be heard together**

**APPEAL NO. 92-106**

(5A) BEN LEE, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on May 27,
[1992, to Anatoly Elkinbard,
[permit to Demolish a Building
[at 2927 Larkin Street.
[APPLICATION NO. 9109301.
[FOR FURTHER HEARING TODAY.

**APPEAL NO. 92-107**

(5B) BEN LEE, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on May 27, [1992, to Anatoly Elkinbard, [permit to construct a new [one-family house at [2927 Larkin Street. [APPLICATION NO. 9109304. [FOR FURTHER HEARING TODAY.

**APPEAL NO. 92-110**

(5C) BRUNO & ADA CARAMATTI, Appellants
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on May 27, [1992, to Anatoly Elkinbard, [permit to Demolish a Building [at 2927 Larkin Street. [APPLICATION NO. 9109301. [FOR FURTHER HEARING TODAY.

**APPEAL NO. 92-111**

(5D) BRUNO & ADA CARAMATTI, Appellants
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on May 27, [1992, to Anatoly Elkinbard, [permit to construct a new [one-family house at [2927 Larkin Street. [APPLICATION NO. 9109304. [FOR FURTHER HEARING TODAY.

**ACTION:** **CONTINUED** prior to hearing to **October 14, 1992** by Jerry Klein, agent for permit holder to submit revised plans.

**APPEAL NO. 92-173**

(6) MICHAEL SHAPOSHNIKOV, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Imposition of Penalty on [September 4, 1992, for work [done at 300 - 304 Euclid Avenue [APPLICATION NO. 9209477. [FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Vice President Bradstreet, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $50.38 for a total of $100.76.

**SPEAKERS:** Michael Shaposhnikov, appellant; and William Schock, Chief Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-175**

(7) TONY GOR, Apppellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Imposition of Penalty on [September 4, 1992, for work [done at 2908 - 2914 Fulton St. [APPLICATION NO. 9210466. [FOR HEARING TODAY.

**ACTION:** **CONTINUED** at hearing to **October 14, 1992** for presentation of the property disclosure statement by appellant.

**SPEAKERS:** Tony Gor, appellant; and Michael Chau, agent for appellant.

**APPEAL NO. 92-176**

(8) JOHN L. ARTAL, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Appealing for Refund of Penalty
[imposed on June 15, 1992, for
[work done at 1248 Hampshire St.
[APPLICATION NO. 9209761.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $43.38 for a total of $86.76.

**SPEAKER:** John Artal, appellant.

**APPEAL NO. 92-172**

(9) LEE WOODS, JR., Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL

[Denial on August 27, 1992,
[of permit to Alter a Building
[at 1750 Taylor Street.
[APPLICATION NO. 9211429.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Alba, the Board voted 4-0 to **OVERRULE** the department and **GRANT** the permit with findings.

**SPEAKERS:** Robert Passmore, Zoning Administrator for Department of Public Works; John O'Brien, architect for permit holder; and Lee Woods, agent for permit holder.

**The Board recessed from 8:35 to 8:48 p.m.**

(10) Public hearing and consideration of proposed legislation to increase the permit appeal fees as recommended by the Mayor's budget analyst. Copies of the staff report to the Board with proposed fees were available at the office of the Board, City Hall, Room 154-A. This proposal would amend Section 8 of Part III of the San Francisco Municipal Code. As authorized by the Board of Permit Appeals, this proposed legislation has been transmitted to the Board of Supervisors for hearing and consideration of enactment.

**ACTION:** After discussion the matter was **CONTINUED** at hearing to **September 30, 1992** to allow public comment and full attendance of the Board. Three members of the Board authorized referral to the Board of Supervisors and one member (Commissioner Felzer) requested that the matter be continued one week for further review.

**SPEAKERS:** None.

There being no further business, President Eisenberg adjourned the meeting at 9:03 p.m.

Robert H. Feldman
Executive Director

Transcripts of these hearings may be obtained directly from Doris Levine, the Official Court Reporter, (415) 456-9899.

SF
P30
#3
10/14/92

# MINUTES OF THE

# MEETING OF THE BOARD OF PERMIT APPEALS

## WEDNESDAY, OCTOBER 14, 1992

## 5:30 P.M., ROOM 282, CITY HALL

DOCUMENTS DEPT.
NOV 4 1992
SAN FRANCISCO
PUBLIC LIBRARY

**PRESENT:** President Neil Eisenberg, Vice President Angela Bradstreet, Commissioners Wayne Alba, Ike Felzer and Juanita Owens.

Robert Passmore, Zoning Administrator for Department of City Planning; William Schock, Chief Building Inspector for Bureau of Building Inspection; Judith Boyajian, Deputy City Attorney; and Robert Feldman, Executive Director for the Board.

Doris Levine, Official Court Reporter.

(1) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKER:** President Eisenberg reported on a site visit to the San Remo Hotel.

(2) **MATTERS FOR CONSIDERATION, REQUESTS FOR REHEARING AND OTHER CORRESPONDENCE:**

**REQUESTS FOR JURISDICTION BEYOND FIFTEEN-DAY APPEAL PERIOD:**

**ITEM A:** Letter from Wayne Kasom, Vice President of the Napier Lane Association, requesting that the Board take jurisdiction over Building Permit Application No. 9210833 to install a cooling tower on the roof of 1355 Sansome Street, the LeviStrauss. Building.

| | |
|---|---|
| Date permit issued | July 30, 1992 |
| Appeal period ended | August 14, 1992 |
| Request for jurisdiction | October 2, 1992 |

**ACTION:** After discussion, upon motion by Commissioner Felzer, the Board voted 2-3 (President Eisenberg, Vice President Bradstreet, Commissioner Alba dissented) to **DENY** jurisdiction. Four votes being necessary to grant jurisdiction, the request is deemed **DENIED**.

**SPEAKERS:** Wayne Kasom, requestor; Richard Dole, Joe Luttrell, Barb Robeck, Richard Morgenstein, David Yancey, David Wise, in support of requestor; Robert Passmore, Zoning Administrator; William Schock, Chief Building Inspector for Bureau of Building Inspection; and Clayton Crawford, Director of Real Estate for Levi Strauss.

**ITEM B:** Letter from Rob Birmingham, President of Birmingham Builders, Inc., requesting that the Board take jurisdiction over penalty imposed for Building Permit Application No. 9212167 to demolish a roof at 269 Potrero Avenue.

| | |
|---|---|
| Date permit issued | July 22, 1992 |
| Appeal period ended | August 6, 1992 |
| Request for jurisdiction | October 6, 1992 |

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 4-1 (Commissioner Felzer dissented) to **DENY** jurisdiction.

**SPEAKERS:** None.

**REQUEST FOR REHEARING:**

**ITEM C:** Letter from Robert R. Fischer, requesting rehearing of Appeal No. 92-155, 2380 San Bruno Avenue. Hearing September 30, 1992. After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **SUSTAIN** the penalty.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **DENY** the request for rehearing.

**SPEAKER:** Robert Fischer, appellant.

**APPEAL NO. 92-162**

(3) ABRAHAM D. SHABER, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on [August 4, 1992, to Jackson [and Sue Loos, permit to Alter [a Building at 117 Caselli Ave. [APPLICATION NO. 9018068. [FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **UPHOLD** the department and **GRANT** the permit with findings by President Eisenberg.

**SPEAKERS:** Abraham Shaber, appellant; Sue Loos, permit holder; Ralph House, in support of permit holder; and Robert Passmore, Zoning Administrator for Department of City Planning.

**Items (4A), (4B), (4C), (4D) were heard together**

**APPEAL NO. 92-106**

(4A) BEN LEE, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on May 27, [1992, to Anatoly Elkinbard, [permit to Demolish a Building [at 2927 Larkin Street. [APPLICATION NO. 9109301. [FOR FURTHER HEARING TODAY.

**APPEAL NO. 92-107**

(4B) BEN LEE, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on May 27, [1992, to Anatoly Elkinbard, [permit to construct a new [one-family house at [2927 Larkin Street. [APPLICATION NO. 9109304. [FOR FURTHER HEARING TODAY.

**APPEAL NO. 92-110**

(4C) BRUNO & ADA CARAMATTI, Appellants
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on May 27, [1992, to Anatoly Elkinbard, [permit to Demolish a Building [at 2927 Larkin Street. [APPLICATION NO. 9109301. [FOR FURTHER HEARING TODAY.

**APPEAL NO. 92-111**

(4D) BRUNO & ADA CARAMATTI, Appellants
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on May 27, [1992, to Anatoly Elkinbard, [permit to construct a new [one-family house at [2927 Larkin Street. [APPLICATION NO. 9109304. [FOR FURTHER HEARING TODAY.

**ACTION:** Upon motion by President Eisenberg the Board voted 5-0 to **UPHOLD** the department and **GRANT** the permit with findings and the **CONDITION** that the plans be revised as agreed to by the parties with their written agreement made part of the decision.

**SPEAKER:** Jerry Klein, agent for permit holder.

**Vice President Bradstreet departed at 7:13 p.m. The Board recessed from 7:13 to 7:25 p.m.**

**APPEAL NO. 92-141**

(5) ANTHONY W. LEE, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on July 8, [1992, to James and Mildred Woo, [permit to Alter a Building at [6224 California Street. [APPLICATION NO. 9208482. [FOR FURTHER HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 4-0 to **UPHOLD** the department and **GRANT** the permit with findings.

**SPEAKER:** David Lee, for appellant; and Orin Lee, designer for permit holder.

**APPEAL NO. 92-175**

(6) TONY GOR, Apppellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Imposition of Penalty on
[September 4, 1992, for work
[done at 2908 - 2914 Fulton St.
[APPLICATION NO. 9210466.
[FOR FURTHER HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Alba, the Board voted 4-0 to **UPHOLD** the department and **SUSTAIN** the penalty.

**SPEAKERS:** Michael Chau, agent for appellant; and William Schock, Chief Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-161**

(7) AGNES TUI, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Imposition of Penalty on
[July 21, 1992, for work done
[done at 124 Harvard Street.
[APPLICATION NO. 9209163.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $19.50 for work totalling less than $500.00.

**SPEAKERS:** William Schock, Chief Building Inspector for Bureau of Building Inspection; and Chief Mike Fanene, for appellant.

**APPEAL NO. 92-163**

(8) LUIS CASTRO, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Appealing for Refund of
[of Penalty imposed on
[August 3, 1992, for work
[done at 54 Eastwood Drive.
[APPLICATION NO. 8811378.
[FOR HEARING TODAY.

**ACTION:** Upon motion by President Eisenberg, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $32.50 for a total of $65.00.

**SPEAKER:** William Schock, Chief Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-164**

(9) CYNTHIA YAN, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Imposition of Penalty on
[August 11, 1992, for work
[done at 829 Noriega Street.
[APPLICATION NO. 9117295.
[FOR HEARING TODAY.

**ACTION:** Upon motion by President Eisenberg, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $173.23 for a total of $346.46.

**SPEAKER:** William Schock, Chief Building Inspector for Bureau of Building Inspector.

**APPEAL NO. 92-165**

(10) GERALD TWIDWELL, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL

[Denial on May 5, 1992, of
[permit to Alter a Building
[at 1396 - 1398 Shafter Avenue.
[APPLICATION NO. 9124094.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 4-0 to **OVERRULE** the department and **GRANT** the permit with findings and the **CONDITION** that no other plumbing be installed, all the windows be boarded up on the ground floor, and a Notice of Special Restrictions recorded.

**SPEAKERS:** Gerald Twidwell, appellant; Mary Woodbridge, in support of appellant; John Allen, property owner; and Robert Passmore, Zoning Administrator.

**APPEAL NO. 92-166**

(11) JUANITA HALL, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on
[August 11, 1992, to Cal-Jones
[Properties, permit to Erect a
[Building at 955 Green Street.
[APPLICATION NO. 9002020S.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 4-0 to **UPHOLD** the department and **GRANT** the permit with findings expressed on the record by President Eisenberg.

**SPEAKERS:** Juanita Hall and Roderick Hall, appellants; John Emerson, in opposition to the project; Robert Passmore, Zoning Administrator for Department of City Planning; Judith Boyjian, Deputy City Attorney; John Sanger, attorney for permit holder; and Ned Topham, permit holder.

**APPEAL NO. 92-167**

(12) GARY ROGERS, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Protesting issuance on
[August 14, 1992, to Saxe Real
[Estate Management Services,
[Permit to Alter a Building
[at 2360 Mission Street.
[APPLICATION NO. 9212331.
[FOR HEARING TODAY.

**ACTION:** **CONTINUED** after hearing testimony to **October 21, 1992** for a site inspection by Commissioner Felzer and the Executive Director.

**SPEAKERS:** Gary Rogers, appellant; Bill Samuels for permit holder; William Schock, Chief Building Inspector for Bureau of Building Inspection; and Thomas Bussard, contractor for permit holder.

**APPEAL NO. 92-168**

(13) 24TH ST. MERCHANTS ASSOC., Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on [August 13, 1992, to Dolores [Street Community Center, [permit to Alter a Building [at 1249 Alabama Street. [APPLICATION NO. 9212859. [FOR HEARING TODAY.

**ACTION:** **CONTINUED** prior to hearing to **November 18, 1992** at the request of appellant with the agreement of permit holder.

**APPEAL NO. 92-179**

(14) SAN REMO HOTEL, Appellant
vs.
ZONING ADMINISTRATOR, Respondent

[Determination by the Zoning [Administrator dated September [9, 1992 that the San Remo Hotel [at 2237 Mason Street is a group [housing use, at least in part [a residential hotel, and that [to change its use to a transient [hotel a conditional use authori-[zation from the Planning Commis-[sion must be applied for and [approved. [FOR HEARING TODAY.

**ACTION:** **CONTINUED** prior to hearing to **October 21, 1992** at the request of appellant.

(15) Public hearing on proposed amendment to the rules of the Board of Permit Appeals for requests for rehearing. The present language of Article V, Section 6 states that as a general practice the Board will decide requests for rehearing without testimony, relying solely on written submittals. The proposed amendment would state that the Board will take testimony before deciding on requests for rehearing and that such testimony will be limited to three minutes for each party.

Copies of the proposed amendment are available at the Board office.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 4-0 to **ADOPT** the rule change.

SPEAKERS: None.

There being no further business, President Eisenberg adjourned the meeting at 9:52 p.m.

Robert H. Feldman
Executive Director

Transcripts of these hearings may be obtained directly from Doris Levine, the Official Court Reporter, (415) 456-9899.

SF
P30
#3
10/21/92

111

# MINUTES OF THE

# MEETING OF THE BOARD OF PERMIT APPEALS

## WEDNESDAY, OCTOBER 21, 1992

## 5:30 P.M., ROOM 282, CITY HALL

DOCUMENTS DEPT.
NOV 4 1992
SAN FRANCISCO
PUBLIC LIBRARY

**PRESENT:** President Neil Eisenberg, Vice President Angela Bradstreet, Commissioners Wayne Alba, Ike Felzer and Juanita Owens.

Robert Passmore, Zoning Administrator for Department of City Planning; William Schock, Chief Building Inspector for Bureau of Building Inspection; Judith Boyajian and Kate Stacy, Deputy City Attorneys; and Robert Feldman, Executive Director for the Board.

Doris Levine, Official Court Reporter.

(1) Informational presentation by Beverly Prior, AIA, of Beverly Prior Architects, on how to read architectural plans and drawings.

(2) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKERS:** None.

**APPEAL NO. 92-167**

(3) GARY ROGERS, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Protesting issuance on
[August 14, 1992, to Saxe Real
[Estate Management Services,
[Permit to Alter a Building
[at 2360 Mission Street.
[APPLICATION NO. 9212331.
[FOR FURTHER HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **UPHOLD** the department and **GRANT** the permit with the **CONDITION** that the permit holder and his contractor obtain permission from the Bureau to use screws instead of nails on the roof assembly above the appellant's apartment, its ceiling, and contents. The permit holder or his agent shall invite Inspector Pada to be present when the most sensitive work above the appellant's apartment is to be done so that the inspector can observe the care and diligence of the worker doing the job in an appropriate manner minimizing any effect on the ceiling and contents of the appellant's apartment.

**SPEAKERS:** Gary Rogers, appellant; and Thomas Bussard, contractor for permit holder.

**APPEAL NO. 92-178**

(4) ALEXANDER KORETSKY, dba "PIROSHKI EXPRESS", Appellant
vs.
SAN FRANCISCO POLICE DEPARTMENT, Respondent

[Denial on September 2, 1992, [of Pushcart Peddler Permit [at Geary and Stockton Streets. [FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Vice President Bradstreet, the Board voted 5-0 to **UPHOLD** the department with findings and **DENY** the permit.

**SPEAKERS:** Jeffrey Barker, attorney for S.F.P.D.; Hal Neilsen, attorney for appellant; Alexander Koretsky, appellant; and Edward Lawson, Mike Monroe and Kirk Frank in support of the S.F.P.D.

**APPEAL NO. 92-179**

(5) SAN REMO HOTEL, Appellant
vs.
ZONING ADMINISTRATOR, Respondent

[Determination by the Zoning [Administrator dated September [9, 1992 that the San Remo Hotel [at 2237 Mason Street is a group [housing use, at least in part [a residential hotel, and that [to change its use to a transient [hotel a conditional use authori- [zation from the Planning Commis- [sion must be applied for and [approved. [FOR HEARING TODAY.

**ACTION:** **CONTINUED** at hearing to **November 18, 1992** for further briefing from the parties and mediation of the case by Brad Paul and David Cincotta, Esq.

**Items (6A) and (6B) were heard together**

**APPEAL NO. 92-169**

(6A) EL DRISCO HOTEL CORP., Appellant
vs.
DEPT. PUBLIC HEALTH, Respondent
CITY PLANNING APPROVAL

[Appeal of Planning Department [conditions imposed on a Depart- [ment of Public Health permit on [February 27, 1992 for an acces- [sory restaurant in a hotel at [2901 Pacific Avenue. [FOR HEARING TODAY.

**APPEAL NO. 92-186**

(6B) EL DRISCO HOTEL CORP., Appellant
vs.
CITY PLANNING, Respondent

[Appeal of Planning Department [conditions imposed on Alcoholic [Beverage Control License (Type [41) on September 25, 1992, for [an accessory restaurant in a [hotel at 2901 Pacific Avenue. [FOR HEARING TODAY.

**ACTION:** **WITHDRAW** prior to hearing by letter dated October 21, 1992.

**The Board recessed from 7:05 to 7:21 p.m.**

**APPEAL NO. 92-124**

(7) ED CHIRUMBOLO, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Imposition of Penalty on
[July 1, 1992, for work
[done at 2742 Bush Street.
[APPLICATION NO. 9204196.
[FOR HEARING TODAY.

**ACTION:** **ADMINISTRATIVELY WITHDRAWN** at hearing because Bureau of Building Inspection withdrew the penalty.

**SPEAKERS:** Lindy Small, architect for appellant; and William Schock, Chief Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-177**

(8) ROBIN BERRY, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Imposition of Penalty on
[September 15, 1992, for work
[done at 1576-1578 McAllister St.
[APPLICATION NO. 9205831.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $432.90 for a total of $865.80.

**SPEAKER:** Mary DeVries Cohn, architect for appellant.

**APPEAL NO. 92-181**

(9) F.A. CHARLES, INC., Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Appealing for Refund of
[Penalty imposed on September
[29, 1992, for work done at
[730 Montgomery Street.
[APPLICATION NO. 9215394.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Vice President Bradstreet, the Board voted 5-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to three times the regular fee of $134.55 for a total of $403.65.

**SPEAKERS:** Peter Mueller, appellant; and William Schock, Chief Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-171**

(10) ALBERT DANGEL, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on August
[21, 1992, to Chuck Hong Lee and
[Naomi Lee, permit to Alter a
[Building at 1978 - 34th Avenue.
[APPLICATION NO. 9200599.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **UPHOLD** the department and **GRANT** the permit with findings.

**SPEAKERS:** Albert Dangel, appellant; Lincoln Lue, architect for permit holder; Chuck Lee, permit holder; and Robert Passmore, Zoning Administrator for Department of City Planning.

**The Board recessed from 9:02 to 9:14 p.m.**

**APPEAL NO. 92-174**

(11) LINDA LACHINA, et. al., Appellants
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on August
[27, 1992, to James Schwanke,
[permit to Alter a Building
[at 66 Manchester Street.
[APPLICATION NO. 9208278.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **UPHOLD** the deparmtent and **GRANT** the permit with four **CONDITIONS** and findings.

**SPEAKERS:** Beth Aspedon and Jack Kolb, appellants; Barbara Alves and Mr. Mikisiyan, Bob Meyers, in opposition to the project; Robert Passmore, Zoning Administrator for Department of City Planning; Dr. James Schwanke, permit holder; and Max Parsley, contractor for permit holder.

**APPEAL NO. 92-180**

(12) KENNETH SIN, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on September
[9, 1992, to Alfred and Mabel Lee,
[permit to Alter a Building at
[747 - 19th Avenue.
[APPLICATION NO. 9207346.
[FOR HEARING TODAY.

**ACTION:** **WITHDRAWN** prior to hearing by letter dated October 20, 1992.

**APPEAL NO. 92-184**

(13) CHI PING HSIN, Appellant
vs.
ZONING ADMINISTRATOR, Respondent

[Determination on September 25, [1992 by the Zoning Administrator [that no additional Planning Commis- [sion conditional use authorization [is required for the California [Pacific Medical Center to relocate [its Cancer Treatment Center to [the California Street Campus at [3773 Sacramento Street from its [present location at the West Campus [at the northeast corner of Cherry [and California Streets. [FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **UPHOLD** the department with findings.

**SPEAKERS:** Robert Passmore, Zoning Administrator for Department of City Plannig; Chi Ping Hsin, appellant; David Philips, Colleeen Frasco, Peter Dickstein; Robert Morris, Merv Silberberg, Vanna Prince, Vincent Wong, Dennis Gibralle, in opposition; Pamela Duffy, attorney for California Pacific Medical Center; and Dr. Mark Rounsaville, Alex Peters, Henry Shultz, in favor of the project.

(14) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKERS:** None.

There being no further business, President Eisenberg adjourned the meeting at 11:09 p.m.

Robert H. Feldman
Executive Director

Transcripts of these hearings may be obtained directly from Doris Levine, the Official Court Reporter, (415) 456-9899.

City Librarian
Document Section, Main Library
Attn: Jerry Roth
*** 2 copies

SF
P30
#3
10/21/92
c 2

# MINUTES OF THE
# MEETING OF THE BOARD OF PERMIT APPEALS
# WEDNESDAY, OCTOBER 21, 1992
# 5:30 P.M., ROOM 282, CITY HALL

DOCUMENTS DEPT.
NOV 4 1992
SAN FRANCISCO
PUBLIC LIBRARY

**PRESENT:** President Neil Eisenberg, Vice President Angela Bradstreet, Commissioners Wayne Alba, Ike Felzer and Juanita Owens.

Robert Passmore, Zoning Administrator for Department of City Planning; William Schock, Chief Building Inspector for Bureau of Building Inspection; Judith Boyajian and Kate Stacy, Deputy City Attorneys; and Robert Feldman, Executive Director for the Board.

Doris Levine, Official Court Reporter.

(1) Informational presentation by Beverly Prior, AIA, of Beverly Prior Architects, on how to read architectural plans and drawings.

(2) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKERS:** None.

**APPEAL NO. 92-167**

(3) GARY ROGERS, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Protesting issuance on
[August 14, 1992, to Saxe Real
[Estate Management Services,
[Permit to Alter a Building
[at 2360 Mission Street.
[APPLICATION NO. 9212331.
[FOR FURTHER HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **UPHOLD** the department and **GRANT** the permit with the **CONDITION** that the permit holder and his contractor obtain permission from the Bureau to use screws instead of nails on the roof assembly above the appellant's apartment, its ceiling, and contents. The permit holder or his agent shall invite Inspector Pada to be present when the most sensitive work above the appellant's apartment is to be done so that the inspector can observe the care and diligence of the worker doing the job in an appropriate manner minimizing any effect on the ceiling and contents of the appellant's apartment.

**SPEAKERS:** Gary Rogers, appellant; and Thomas Bussard, contractor for permit holder.

**APPEAL NO. 92-178**

(4) ALEXANDER KORETSKY, dba "PIROSHKI EXPRESS", Appellant vs. SAN FRANCISCO POLICE DEPARTMENT, Respondent

[Denial on September 2, 1992, [of Pushcart Peddler Permit [at Geary and Stockton Streets. [FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Vice President Bradstreet, the Board voted 5-0 to **UPHOLD** the department with findings and **DENY** the permit.

**SPEAKERS:** Jeffrey Barker, attorney for S.F.P.D.; Hal Neilsen, attorney for appellant; Alexander Koretsky, appellant; and Edward Lawson, Mike Monroe and Kirk Frank in support of the S.F.P.D.

**APPEAL NO. 92-179**

(5) SAN REMO HOTEL, Appellant vs. ZONING ADMINISTRATOR, Respondent

[Determination by the Zoning [Administrator dated September [9, 1992 that the San Remo Hotel [at 2237 Mason Street is a group [housing use, at least in part [a residential hotel, and that [to change its use to a transient [hotel a conditional use authori- [zation from the Planning Commis- [sion must be applied for and [approved. [FOR HEARING TODAY.

**ACTION:** **CONTINUED** at hearing to **November 18, 1992** for further briefing from the parties and mediation of the case by Brad Paul and David Cincotta, Esq.

**Items (6A) and (6B) were heard together**

**APPEAL NO. 92-169**

(6A) EL DRISCO HOTEL CORP., Appellant vs. DEPT. PUBLIC HEALTH, Respondent CITY PLANNING APPROVAL

[Appeal of Planning Department [conditions imposed on a Depart- [ment of Public Health permit on [February 27, 1992 for an acces- [sory restaurant in a hotel at [2901 Pacific Avenue. [FOR HEARING TODAY.

**APPEAL NO. 92-186**

(6B) EL DRISCO HOTEL CORP., Appellant vs. CITY PLANNING, Respondent

[Appeal of Planning Department [conditions imposed on Alcoholic [Beverage Control License (Type [41) on September 25, 1992, for [an accessory restaurant in a [hotel at 2901 Pacific Avenue. [FOR HEARING TODAY.

**ACTION:** **WITHDRAW** prior to hearing by letter dated October 21, 1992.

**The Board recessed from 7:05 to 7:21 p.m.**

**APPEAL NO. 92-124**

(7) ED CHIRUMBOLO, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Imposition of Penalty on
[July 1, 1992, for work
[done at 2742 Bush Street.
[APPLICATION NO. 9204196.
[FOR HEARING TODAY.

**ACTION:** **ADMINISTRATIVELY WITHDRAWN** at hearing because Bureau of Building Inspection withdrew the penalty.

**SPEAKERS:** Lindy Small, architect for appellant; and William Schock, Chief Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-177**

(8) ROBIN BERRY, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Imposition of Penalty on
[September 15, 1992, for work
[done at 1576-1578 McAllister St.
[APPLICATION NO. 9205831.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $432.90 for a total of $865.80.

**SPEAKER:** Mary DeVries Cohn, architect for appellant.

**APPEAL NO. 92-181**

(9) F.A. CHARLES, INC., Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Appealing for Refund of
[Penalty imposed on September
[29, 1992, for work done at
[730 Montgomery Street.
[APPLICATION NO. 9215394.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Vice President Bradstreet, the Board voted 5-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to three times the regular fee of $134.55 for a total of $403.65.

**SPEAKERS:** Peter Mueller, appellant; and William Schock, Chief Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-171**

(10) ALBERT DANGEL, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on August [21, 1992, to Chuck Hong Lee and [Naomi Lee, permit to Alter a [Building at 1978 - 34th Avenue. [APPLICATION NO. 9200599. [FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **UPHOLD** the department and **GRANT** the permit with findings.

**SPEAKERS:** Albert Dangel, appellant; Lincoln Lue, architect for permit holder; Chuck Lee, permit holder; and Robert Passmore, Zoning Administrator for Department of City Planning.

**The Board recessed from 9:02 to 9:14 p.m.**

**APPEAL NO. 92-174**

(11) LINDA LACHINA, et. al., Appellants
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on August [27, 1992, to James Schwanke, [permit to Alter a Building [at 66 Manchester Street. [APPLICATION NO. 9208278. [FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **UPHOLD** the deparmtent and **GRANT** the permit with four **CONDITIONS** and findings.

**SPEAKERS:** Beth Aspedon and Jack Kolb, appellants; Barbara Alves and Mr. Mikisiyan, Bob Meyers, in opposition to the project; Robert Passmore, Zoning Administrator for Department of City Planning; Dr. James Schwanke, permit holder; and Max Parsley, contractor for permit holder.

**APPEAL NO. 92-180**

(12) KENNETH SIN, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on September [9, 1992, to Alfred and Mabel Lee, [permit to Alter a Building at [747 - 19th Avenue. [APPLICATION NO. 9207346. [FOR HEARING TODAY.

**ACTION:** **WITHDRAWN** prior to hearing by letter dated October 20, 1992.

**APPEAL NO. 92-184**

(13) CHI PING HSIN, Appellant
vs.
ZONING ADMINISTRATOR, Respondent

[Determination on September 25, [1992 by the Zoning Administrator [that no additional Planning Commis- [sion conditional use authorization [is required for the California [Pacific Medical Center to relocate [its Cancer Treatment Center to [the California Street Campus at [3773 Sacramento Street from its [present location at the West Campus [at the northeast corner of Cherry [and California Streets. [FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **UPHOLD** the department with findings.

**SPEAKERS:** Robert Passmore, Zoning Administrator for Department of City Plannig; Chi Ping Hsin, appellant; David Philips, Colleeen Frasco, Peter Dickstein; Robert Morris, Merv Silberberg, Vanna Prince, Vincent Wong, Dennis Gibralle, in opposition; Pamela Duffy, attorney for California Pacific Medical Center; and Dr. Mark Rounsaville, Alex Peters, Henry Shultz, in favor of the project.

(14) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKERS:** None.

There being no further business, President Eisenberg adjourned the meeting at 11:09 p.m.

Robert H. Feldman
Executive Director

Transcripts of these hearings may be obtained directly from Doris Levine, the Official Court Reporter, (415) 456-9899.

1 SF
P30
#3
11/4/92

# MINUTES OF THE

# MEETING OF THE BOARD OF PERMIT APPEALS

## WEDNESDAY, NOVEMBER 4, 1992

## 5:30 P.M., ROOM 282, CITY HALL

DOCUMENTS DEPT.
NOV 23 1992
SAN FRANCISCO PUBLIC LIBRARY

**PRESENT:** President Neil Eisenberg, Vice President Angela Bradstreet, Commissioners Wayne Alba and Ike Felzer.

Robert Passmore, Zoning Administrator for Department of City Planning; William Schock, Chief Building Inspector for Bureau of Building Inspection; Judith Boyajian, Deputy City Attorney; and Robert Feldman, Executive Director for the Board.

Doris Levine, Official Court Reporter.

**ABSENT:** Commissioner Juanita Owens.

(1) Informational presentation by Michael Janis, Director of Tenant Services, and Anne Halsted, Commissioner, of the S.F. Port Commission on the Port Commission's role in the pedicab approval process.

Presentation cancelled. Will be rescheduled by Mr. Janis.

(2) **MATTERS FOR CONSIDERATION, REQUESTS FOR REHEARING AND OTHER CORRESPONDENCE:**

None.

**APPEAL NO. 92-182**

(3) PETER KERESZTURY, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Imposition of Penalty on
[September 30, 1992, for
[work done at 17 Osgood Place.
[APPLICATION NO. 9212122.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee for work totaling $500.00.

**SPEAKERS:** Peter Keresztury, appellant; and William Schock, Chief Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-183**

(4) KIM HOSKINSON & LINDA KLOUDA, Appellants
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on September
[25, 1992, to Janice Dragotta and
[Peter Van Eekelen, permit to Alter
[a Building at 2941 Clay Street.
[APPLICATION NO. 9212563.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 4-0 to **UPHOLD** the department and **GRANT** the permit with findings and the following **CONDITIONS:** The project sponsors will install a lattice between the 6" x 6" post and the corner of the building approximately 2'9" in front of the west facing window off the breakfast/kitchen area. The top of the lattice will be approximately 4' off the floor of the kitchen. A planter will be installed and planted with bougainvillea, which will climb the lattice to provide additional privacy of the Hoskinson's rear yard. Conditions to be met within 30 days of effective date of the decision.

**SPEAKERS:** Alice Barkley, attorney for permit holder; and John McInerney, attorney for Linda Klouda.

**APPEAL NO. 92-187**

(5) PETER BURGESS & WILLIAM NOLAN, dba, "AUTO PAWN", Appellants vs. SAN FRANCISCO POLICE DEPARTMENT, Respondent

[Denial on September 29, 1992, [of Second Hand Dealer and Pawn [Broker Permits for automobile [pawn shop at 819 Ellis Street. [FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** that the business be limited to items licensed by the DMV, such as cars, motorcycles and boats.

**SPEAKERS:** Jeffrey Barker, attorney for S.F.P.D.; Peter Burgess and William Nolan, appellants.

**APPEAL NO. 92-188**

(6) KEITH R. SAGGERS, Appellant vs. SAN FRANCISCO POLICE DEPARTMENT, Respondent

[Denial on October 5, 1992, of [Pedicab Owner Permit for use [in the Fisherman's Wharf area. [FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Vice President Bradstreet, the Board voted 4-0 to **OVERRULE** the department and **GRANT** the permit with the **CONDITION** that this route shall be as depicted on map submitted by the appellant, with the agreement to avoid construction sites and to purchase liability insurance.

**SPEAKERS:** Keith Saggers, appellant; and Jeffrey Barker, attorney for S.F.P.D.

**The Board recessed from 7:00 to 7:15 p.m. and 8:25 to 8:32 p.m.**

Items (7A), (7B), (7C), (7D) shall be heard together

APPEAL NO. 92-127

(7A) MICHAEL SEALEY, Appellant
vs.
SAN FRANCISCO POLICE COMMISSION,
Respondent

[Appeal of Police Commission
[Decision on May 27, 1992,
[that Public Convenience and
[Necessity has not at this time
[been established to require the
[operation of additional taxicab
[permits (medallions) for which
[applications have been made.
[RESOLUTION NO. 97-92.
[FOR HEARING TODAY.

APPEAL NO. 92-128

(7B) TSE SAN KWAN, Appellant
vs.
SAN FRANCISCO POLICE COMMISSION,
Respondent

[Appeal of Police Commission
[Decision on May 27, 1992,
[that Public Convenience and
[Necessity has not at this time
[been established to require the
[operation of additional taxicab
[permits (medallions) for which
[applications have been made.
[RESOLUTION NO. 97-92.
[FOR HEARING TODAY.

APPEAL NO. 92-131

(7C) YOSSEDEK DESTA, Appellant
vs.
SAN FRANCISCO POLICE COMMISSION,
Respondent

[Appeal of Police Commission
[Decision on May 27, 1992,
[that Public Convenience and
[Necessity has not at this time
[been established to require the
[operation of additional taxicab
[permits (medallions) for which
[applications have been made.
[RESOLUTION NO. 97-92.
[FOR HEARING TODAY.

APPEAL NO. 92-132

(7D) WESLEY HOLLIS, Appellant
vs.
SAN FRANCISCO POLICE COMMISSION,
Respondent

[Appeal of Police Commission
[Decision on May 27, 1992,
[that Public Convenience and
[Necessity has not at this time
[been established to require the
[operation of additional taxicab
[permits (medallions) for which
[applications have been made.
[RESOLUTION NO. 97-92.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 4-0 to **UPHOLD** the Police Commission and Findings of Public Convenience and Necessity and not issue any additional taxicab permits at this time, except for the six temporary 24-month permits for ramped vans.

**SPEAKERS:** Jeffrey Barker, attorney and Officer Ferrell Suslow for S.F.P.D.;Michael Sealey, Yossedek Desta, Wesley Hollis, appellants; Annette Williams, Virginia Cerenio, and Arlene Wong, Bruce Oka, Michael Kwok, Howard Chabner, Barbara Elisa Bruce, Stanley Pauer, Pello Smith, Suda Tesfaye, in support of Police Commission; and Al Hall, in support of Michael Sealey; Phil Ward, attorney for taxi trade association supporting Police; and George England, for Police.

(8) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKERS:** None.

There being no further business, President Eisenberg adjourned the meeting at 10:18 p.m.

Robert H. Feldman
Executive Director

Transcripts of these hearings may be obtained directly from Doris Levine, the Official Court Reporter, (415) 456-9899.

SF

# MINUTES OF THE
# MEETING OF THE BOARD OF PERMIT APPEALS
# WEDNESDAY, NOVEMBER 18, 1992
# 5:30 P.M., ROOM 282, CITY HALL

DOCUMENTS DEPT.
NOV 24 1992
SAN FRANCISCO
PUBLIC LIBRARY

**PRESENT:** President Neil Eisenberg, Vice President Angela Bradstreet, Commissioners Ike Felzer and Juanita Owens.

Robert Passmore, Zoning Administrator for Department of City Planning; William Schock, Senior Building Inspector for Bureau of Building Inspection; Judith Boyajian, Deputy City Attorney; and Robert Feldman, Executive Director for the Board.

Doris Levine, Official Court Reporter.

**ABSENT:** Commissioner Wayne Alba.

(1) Informational presentation by Jeremy Kotas, AIA, principal in Kotas/Pantaleoni Architects, "What's Left of Freedom of Expression in Residential Development".

Rescheduled to January 13, 1993 by Mr. Kotas prior to meeting.

(2) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKER:** Ramona Albright commented on the AIA process and environmental concerns about radiation.

(3) **MATTERS FOR CONSIDERATION, REQUESTS FOR REHEARING AND OTHER CORRESPONDENCE:**

**REQUESTS FOR REHEARING:**

**ITEM A:** Letter from Alexander Koretsky requesting rehearing of Appeal No. 92-178, pushcart at Geary and Stockton Streets. Hearing October 21, 1992. After discussion, upon motion by Vice President Bradstreet, the Board voted 5-0 to **UPHOLD** the department and **DENY** the permit.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 4-0 to **DENY** the request for rehearing.

**SPEAKER:** Alexander Koretsky, appellant.

**ITEM B:** Letter from Chi P. Hsin requesting rehearing of Appeal No. 92-184, 3773 Sacramento Street (California Pacific Medical Center). Hearing October 21, 1992. After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **UPHOLD** the department with findings.

**ACTION:** After discussion, upon motion by Vice President Bradstreet, the Board voted 4-0 to **DENY** the request for rehearing.

**SPEAKERS:** Chi P. Hsing, appellant; and Pamela Duffy, attorney for California Pacific Medical Center.

**APPEAL NO. 92-189**

(4) ALEX WU, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Imposition of Penalty on
[October 14, 1992, for work
[done at 457 Harvard Street.
[APPLICATION NO. 9111971.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Felzer, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee for work totaling $18,000.00.

**SPEAKERS:** Alex Wu, appellant; and William Schock, Senior Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-193**

(5) JOHN DONG, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Imposition of Penalty on
[October 19, 1992, for work
[done at 54 - 56 Stanyan St.
[APPLICATION NO. 9214577.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Owens, the Board voted 4-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to two times the regular fee of $102.05 for a total of $204.10.

**SPEAKER:** John Dong, appellant.

**APPEAL NO. 92-179**

(6) SAN REMO HOTEL, Appellant
vs.
ZONING ADMINISTRATOR, Respondent

[Determination by the Zoning
[Administrator dated September
[9, 1992 that the San Remo Hotel
[at 2237 Mason Street is a group
[housing use, at least in part
[a residential hotel, and that
[to change its use to a transient
[hotel a conditional use authori-
[zation from the Planning Commis-
[sion must be applied for and
[approved.
[FOR HEARING TODAY.

**ACTION:** After discussion, the Board **CONTINUED** the matter to **December 2, 1992** for attendance of a full Board. President Eisenberg closed the public hearing.

**SPEAKERS:** David Cincotta and Brad Paul, Board-appointed mediators; Joseph Bravo and Andrew Zacks, attorneys for San Remo Hotel; Robert Passmore, Zoning Zoning Administrator for Department of City Planning; Judith Boyajian, Deputy City Attorney; Steve Grossman accountant for San Remo Hotel; Tom Field, co-owner of San Remo Hotel; Joel Schreiber, William Keast, Michael Ferran, Ramona Albright, in favor of the appellant; Sue Hestor, Chuck Houston, Tim Lee, attorney from Tenderloin Housing Clinic, Melanie Young, Ann Ostrander, Daryl Higashi, Robert Rosenberg, Rod Smith, John Bardis, Denise McCarthy, Jeff Fujioka, in opposition; Joe Butler, neutral opinion on behalf of Russian Hill Neighbors.

**The Board recessed from 8:20 to 8:33 p.m.**

**APPEAL NO. 92-136**

(7) ZELKO SIMONI, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL

[Denial on July 15, 1992, of
[permit to Alter a Building
[at 1 Graystone Terrace.
[APPLICATION NO. 9109559S.
[FOR HEARING TODAY.

**ACTION:** **CONTINUED** to **December 2, 1992** for site inspection by individual members of the Board.

**SPEAKERS:** Jerry Klein, agent for appellant; Denise LaPointe and Ramona Albright in opposition; David Baker and Toby Levy, AIA representatives; Zelko Simoni, appellant.

**Items (8A) and (8B) were heard together**

**APPEAL NO. 92-122**

(8A) JUDITH MacMILLAN, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on June
[17, 1992, to Glenda Mitchell,
[permit to Alter a Building
[at 1234 Chestnut Street.
[APPLICATION NO. 9118891.
[FOR FURTHER HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 4-0 to **UPHOLD** the department and **GRANT** the permit with the following **CONDITIONS:** (1) The variances granted by the Zoning Administrator are modified and the plans are to be revised by the variance appellant/permit holder to reflect the AIA Advisory Design Review Panel recommendations and other modifications presented to the Board by the variance appellant/permit holder at the public hearing. (2) The dormer as shown on the

revised plans described in Condition 1 shall not exceed 40 feet in height. (3) The curb cuts for the proposed garage shall be reviewed and approved by the Department of City Planning in order to minimize the loss of street parking spaces. (4) A Notice of Special Restrictions prepared by the Executive Director listing these conditions shall be recorded on the land records of the City and County of San Francisco by the variance appellant/permit holder and copies of the recorded document shall be submitted to the Department of City Planning and to the office of the Board of Permit Appeals to be made a part of the files in these cases.

**APPEAL NO. V92-203**

(8B) GLENDA MITCHELL, Appellant
vs.
ZONING ADMINISTRATOR, Respondent

[Appealing Conditions of Front
[Setback and Rear Yard Variances
[granted for property located
[at 1234 Chestnut Street.
[VARIANCE CASE NO. 92.489V.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 4-0 to **MODIFY** the conditions of the variance granted by the Zoning Administrator with the **CONDITIONS** as above.

**SPEAKERS:** Robert Passmore, Zoning Administrator for Department of City Planning; Toby Levy, representative for AIA; Glenda Mitchell, appellant and permit holder; Joe Butler, John Sullivan, Judith MacMillan, Edith McMillan, in opposition to project; Gary Hansen and Francis Kodalcik, in favor of project; David Teeters, architect for permit holder.

**APPEAL NO. 92-168**

(9) 24TH ST. MERCHANTS ASSOC., Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on
[August 13, 1992, to Dolores
[Street Community Center,
[permit to Alter a Building
[at 1249 Alabama Street.
[APPLICATION NO. 9212859.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Owens, the Board voted 4-0 to **UPHOLD** the department and **GRANT** the permit with the recommendation that the Advisory Committee should be on-going.

**SPEAKERS:** Rose Rivera, appellant; Ross Warden, Glenda Powell, Karen Diaz, in opposition; Robert Passmore, Zoning Administrator; Jim Lowder and Nick Griffin, permit holders; Lawrence Cruz, Sister Marian Rose, Maurico Valdez, Rita Alarcon, Nate Bacon, Angela Vizon, Huarte Ferry, in favor of project.

**The Board recessed from 11:35 to 11:43 p.m.**

**APPEAL NO. 92-185**

(10) MILO FAY, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on
[September 24, 1992, to
[James Gray, permit to Alter
[a Building at 310 Filbert St.
[APPLICATION NO. 9210517.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Vice President Bradstreet, the Board voted 4-0 to **UPHOLD** the department and **GRANT** the permit.

**SPEAKERS:** Milo Fay, appellant; Claire Pilcher, attorney for permit holder; James and Donna Gray, permit holders; Carol and Rocco Fazio, in favor of project.

**Items (11A) and (11B) were heard together**

**APPEAL NO. 92-190**

(11A) ANTHONY FEUDO, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Protesting issuance on
[September 30, 1992, to
[PFW Associates, Inc.,
[permit to Alter a Building
[at 570 Page Street.
[APPLICATION NO. 9216918.
[FOR HEARING TODAY.

**APPEAL NO. 92-191**

(11B) ANTHONY FEUDO, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Protesting issuance on
[September 30, 1992, to
[PFW Associates, Inc.,
[permit to Alter a Building
[at 570 Page Street.
[APPLICATION NO. 9216919.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 3-1 (Commissioner Owens dissented) to **UPHOLD** the department and **GRANT** the permits.

**SPEAKERS:** Robert Passmore, Zoning Administrator for Department of City Planning; Anthony Feudo, appellant; Pamela Smith, Michael McPartland, Fran DeNetto, Marty O'Connell, Edith McMillan, in opposition; Eric Miller, attorney for permit holder; Paul Woo, permit holder; Mark Karowarsky and Chris Wong of Asian Design, in favor of project.

**APPEAL NO. 92-192**

(12) RUSSIAN HILL COMMUNITY ASSOC., Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on
[October 6, 1992, to T.E.
[Gray and H.B. Hjorth,
[permit to Alter a Building
[at 14 - 16 Delgado Place.
[APPLICATION NO. 9210658.
[FOR HEARING TODAY.

**ACTION:** **CONTINUED** to **December 2, 1992** for site inspection by individual Board members and by environmental health inspector to check health issues.

**SPEAKERS:** Robert Passmore, Zoning Administrator for Department of City Planning; Kathleen Courtney, appellant; and Heidi Hjorth, permit holder.

(13) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKERS:** None.

There being no further business, President Eisenberg adjourned the meeting at 1:20 a.m.

Robert H. Feldman
Executive Director

Transcripts of these hearings may be obtained directly from Doris Levine, the Official Court Reporter, (415) 456-9899.

SF
P30
#3
12/2/92

SF

# MINUTES OF THE
# MEETING OF THE BOARD OF PERMIT APPEALS
## WEDNESDAY, DECEMBER 2, 1992
## 5:30 P.M., ROOM 282, CITY HALL

DOCUMENTS DEPT.
DEC 10 1992
SAN FRANCISCO
PUBLIC LIBRARY

**PRESENT:** President Neil Eisenberg, Vice President Angela Bradstreet, Commissioners Wayne Alba, Ike Felzer and Juanita Owens.

Robert Passmore, Zoning Administrator for Department of City Planning; William Schock, Senior Building Inspector for Bureau of Building Inspection; Judith Boyajian, Deputy City Attorney; and Robert Feldman, Executive Director for the Board.

Doris Levine, Official Court Reporter.

(1) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKERS:** None.

**APPEAL NO. 92-195**

(1A) CHARLES L. WIXON, et al., Appellants
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on
[October 6, 1992, to Y. & Juliet
[Naser, permit to Erect a
[Structure at 401-411 Irving St.
[APPLICATION NO. 9004842.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Vice President Bradstreet, the Board voted 4-1 (President Eisenberg dissented) to **UPHOLD** the department and **GRANT** the permit with **CONDITIONS** stipulated to by the parties.

**SPEAKERS:** Steven Vettel, attorney for permit holder; Phyllis Berenson, appellant; Laurence Kornfield and John Bardis, in opposition to the project; and William Schock, Senior Building Inspector for Bureau of Building Inspection.

(2) **MATTERS FOR CONSIDERATION, REQUESTS FOR REHEARING AND OTHER CORRESPONDENCE:**

**REQUEST FOR REHEARING:**

**ITEM A:** Letter from Yossedek Desta, requesting rehearing of Appeal No. 92-131. Hearing November 4, 1992. After discussion, upon motion by President Eisenberg, the Board voted 4-0 (Commissioner Owens absent) to **UPHOLD** the Police Commission and Findings of Public Convenience and Necessity and not issue any additional taxicab permits at this time, except for the six temporary 24-month permits for ramped vans.

**ACTION:** After discussion, upon motion by Vice President Bradstreet, the Board voted 4-0 (Commissioner Owens abstained) to **DENY** the request for rehearing.

**SPEAKER:** Yossedek Desta, appellant.

**REQUEST FOR JURISDICTION BEYOND FIFTEEN-DAY APPEAL PERIOD:**

**ITEM B:** Letter from Jun Qiang Chen, requesting that the Board take jurisdiction over penalty imposed for Building Permit Application No. 9203088 to legalize rooms added to ground floor at 1739 - 35th Avenue.

| | |
|---|---|
| Date penalty imposed | November 3, 1992 |
| Appeal period ended | November 18, 1992 |
| Request for jurisdiction | November 23, 1992 |

**ACTION:** After discussion, the Board took the matter **OFF CALENDAR** with the agreement of William Schock, Senior Building Inspector for Bureau of Building Inspection.

**SPEAKER:** William Schock, Senior Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-179**

(3) SAN REMO HOTEL, Appellant
vs.
ZONING ADMINISTRATOR, Respondent

[Determination by the Zoning Administrator dated September 9, 1992 that the San Remo Hotel at 2237 Mason Street is a group housing use, at least in part a residential hotel, and that to change its use to a transient hotel a conditional use authorization from the Planning Commission must be applied for and approved.
[FOR FURTHER HEARING TODAY.

**ACTION:** **CONTINUED** prior to hearing to **December 9, 1992** at the request of appellant. President Eisenberg directed that the Tenderloin Housing Clinic be informed that the Board would consider additional submittals.

**SPEAKER:** Joseph Bravo, attorney for appellant.

**APPEAL NO. 92-136**

(4) ZELKO SIMONI, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING DISAPPROVAL

[Denial on July 15, 1992, of permit to Alter a Building at 1 Graystone Terrace.
[APPLICATION NO. 9109559S.
[FOR FURTHER HEARING TODAY.

**ACTION:** **WITHDRAWN** prior to hearing by letter dated December 2, 1992.

**SPEAKERS:** Jerry Klein, agent for appellant; and Denise LaPointe, in opposition to the project.

**APPEAL NO. 92-192**

(5) RUSSIAN HILL COMMUNITY ASSOC., Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on
[October 6, 1992, to T.E.
[Gray and H.B. Hjorth,
[permit to Alter a Building
[at 14 - 16 Delgado Place.
[APPLICATION NO. 9210658.
[FOR FURTHER HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Felzer, the Board voted 5-0 to **UPHOLD** the department and **GRANT** the permit with findings by President Eisenberg.

**SPEAKERS:** Kathleen Courtney, appellant; William Schock, Senior Building Inspector for Bureau of Building Inspection; Robert Passmore, Zoning Administrator for Department of City Planning; Dr. Edmund Billings, Joanne Allen, F. Lim Lew, Barbara Jay, Sandra Lew, Bill Anderson, Hillary Massey, in opposition to the project; and Heidi Hjorth and Todd Gray, permit holders.

**The Board recessed from 8:13 to 8:26 p.m.**

**APPEAL NO. 92-202**

(6) AGNOAFER SHIFFERAW, dba, "RASSELAS", Appellant
vs.
SAN FRANCISCO POLICE DEPARTMENT, Respondent

[Revocation on October 20, 1992,
[of Place of Entertainment
[permit at 2801 California St.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 4-1 (Commissioner Alba dissented) to **OVERRULE** the department and **REINSTATE** the permit.

**SPEAKERS:** Jeffrey Barker, attorney for S.F.P.D.; and Agnoafer Shifferaw, appellant.

**Items (7A), (7B), and (7C) were heard together**

**APPEAL NO. 92-204**

(7A) ILEENE MacADAM, dba, "THE CORRAL", Appellant vs. SAN FRANCISCO POLICE DEPARTMENT, Respondent [Revocation on October 20, 1992, [of Place of Entertainment [permit at 2140 Market Street. [FOR HEARING TODAY.

**APPEAL NO. 92-205**

(7B) ILEENE MacADAM, dba, "THE CORRAL", Appellant vs. SAN FRANCISCO POLICE DEPARTMENT, Respondent [Revocation on October 20, 1992, [of Mechanical Amusement Device [permit at 2140 Market Street. [FOR HEARING TODAY.

**APPEAL NO. 92-206**

(7C) ILEENE MacADAM, dba, "THE CORRAL", Appellant vs. SAN FRANCISCO POLICE DEPARTMENT, Respondent [Revocation on October 20, 1992, [of Dance Hall Keeper permit [at 2140 Market Street. [FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Felzer, the Board voted 4-1 (Commissioner Alba dissented) to **REINSTATE** the permits.

**SPEAKERS:** Jeffrey Barker, attorney for S.F.P.D.; and Ileene MacAdam, appellant.

**APPEAL NO. 92-198**

(8) ROBERT ANDERSON & ROY BATEMAN, Appellants vs. ZONING ADMINISTRATOR, Respondent [Determination of the Zoning [Administrator dated October 13, [1992 that the private right-of-[way should not be subtracted from [the area of the property in [determining the number of dwelling [units allowed for a six-unit condo-[minium project on two merged lots [at 117 - 127 Divisadero Street. [CONDITIONAL USE APPL. NO. 91.746C. [FOR HEARING TODAY.

**ACTION:** **CONTINUED** prior to hearing to **December 16, 1992** at the request of appellants with agreement of permit holder.

(9) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKERS:** None.

There being no further business, President Eisenberg adjourned the meeting at 9:08 p.m.

Robert H. Feldman
Executive Director

Transcripts of these hearings may be obtained directly from Doris Levine, the Official Court Reporter, (415) 456-9899.

SF
SF
230
#3
2/9/92

# MEETING OF THE BOARD OF PERMIT APPEALS
## WEDNESDAY, DECEMBER 9, 1992
## 5:30 P.M., ROOM 282, CITY HALL

DOCUMENTS DEPT.
DEC 14 1992
SAN FRANCISCO
PUBLIC LIBRARY

Minutes

**PRESENT:** President Neil Eisenberg, Vice President Angela Bradstreet, Commissioners Ike Felzer, Wayne Alba and Juanita Owens.

Robert Passmore, Zoning Administrator for Department of City Planning; William Schock, Senior Building Inspector for Bureau of Building Inspection; Judith Boyajian, Deputy City Attorney; and Robert Feldman, Executive Director for the Board.

Doris Levine, Official Court Reporter.

(1) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKERS:** None.

(2) **MATTERS FOR CONSIDERATION, REQUESTS FOR REHEARING AND OTHER CORRESPONDENCE:**

**REQUESTS FOR REHEARING:**

**ITEM A:** Letter from the Russian Hill Neighbors requesting rehearing of Appeal No. 92-122, 1234 Chestnut Street. Hearing November 18, 1992. After discussion, upon motion by President Eisenberg, the Board voted 4-0 (Commissioner Alba absent) to **UPHOLD** the department and **GRANT** the permit with **CONDITIONS**.

**ACTION:** After discussion, upon motion by Vice President Bradstreet, the Board voted 4-0 (Commissioner Alba abstained) to **DENY** the request for rehearing.

**SPEAKERS:** Joseph Butler, appellant; and Robert Passmore, Zoning Administrator for Department of City Planning.

**ITEM B:** Letter from Anthony Feudo and Pamela Smith requesting rehearing of Appeal No. 92-191, 570 Page Street. Hearing November 18, 1992. After discussion, upon motion by President Eisenberg, the Board voted 3-1 (Commissioner Owens dissented, Commissioner Alba absent) to **UPHOLD** the department and **GRANT** the permit.

**ACTION:** After discussion, upon motion by Commissioner Owens, the Board voted 4-0 (Commissioner Alba abstained) to **DENY** the request for rehearing. President Eisenberg clarified his motion of November 18, 1992 by directing the staff to include all previous conditions imposed by the Board on this project on the permit being upheld.

**SPEAKERS:** Anthony Feudo, appellant; and Robert Passmore, Zoning Administrator for Department of City Planning.

**APPEAL NO. 92-179**

(3) SAN REMO HOTEL, Appellant
vs.
ZONING ADMINISTRATOR, Respondent

[Determination by the Zoning [Administrator dated September [9, 1992 that the San Remo Hotel [at 2237 Mason Street is a group [housing use, at least in part [a residential hotel, and that [to change its use to a transient [hotel a conditional use authori- [zation from the Planning Commis- [sion must be applied for and [approved. [FOR FURTHER HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **UPHOLD** the determination.

**SPEAKERS:** Andrew Zacks, attorney for appellant; Robert Passmore, Zoning Administrator for Department of City Planning; and Judith Boyajian, Deputy City Attorney.

**APPEAL NO. 92-199**

(4) WILLIAM J. SMITH, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Appealing for Refund of [Penalty imposed on October 26, [1992, for work done at [914 Teresita Blvd. [ELEC. PERMIT NO. E103056. [FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Vice President Bradstreet, the Board voted 2-3 (President Eisenberg, Commissioners Alba and Felzer dissented) to overrule the department with the condition that the penalty be reduced to two times the regular fee of $65.25 for a total of $130.50. Four votes are needed to overrule a department and therefore the department is **UPHELD** and the penalty **SUSTAINED**.

**SPEAKERS:** William Smith, appellant; William Schock, Senior Building Inspector and Rich Bamberger, Electrical Inspector for Bureau of Building Inspection; Robert Passmore, Zoning Administrator for Department of City Planning; and Judith Boyajian, Deputy City Attorney.

**APPEAL NO. 92-200**

(5) DANIEL SEELIG, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Imposition of Penalty [on October 27, 1992, for [work done at 680 Joost Ave. [APPLICATION NO. 9214510. [FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by President Eisenberg, the Board voted 5-0 to **OVERRULE** the department with the **CONDITION** that the penalty be reduced to a total of $652.50.

**SPEAKERS:** Daniel Seelig, appellant; and William Schock, Senior Building Inspector for Bureau of Building Inspection.

**APPEAL NO. 92-194**

(6) REGINA MULLIGAN, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on
[October 7, 1992, to Eric and
[Pamela Tang, permit to Alter
[a Building at 155 Beaumont Ave.
[APPLICATION NO. 9217436.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Vice President Bradstreet, the Board voted 5-0 to **UPHOLD** the department and **GRANT** the permit.

**SPEAKERS:** Regina and Edward Mulligan, appellants; Pamela Tang, permit holder; and William Schock, Senior Building Inspector for Bureau of Building Inspection.

**President Eisenberg departed at 7:19 p.m. and the Board recessed from 7:19 to 7:27 p.m. Vice President Bradstreet presided and reconvened the meeting at 7:27 p.m.**

**Items (7A) and (7B) shall be heard together**

**APPEAL NO. 92-196**

(7A) ERIKA ROSENTHAL & MARY CABOT, et al., Appellants
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on
[October 7, 1992, to Rolf and
[Almut Busch, permit to Erect
[a Structure at 25 Martha Avenue.
[APPLICATION NO. 9000500S.
[FOR HEARING TODAY.

**APPEAL NO. 92-197**

(7B) ERIKA ROSENTHAL & MARY CABOT, et al., Appellants
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on
[October 7, 1992, to Rolf and
[Almut Busch, permit to Erect
[a Structure at 33 Martha Avenue.
[APPLICATION NO. 9000503S.
[FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Felzer, the Board voted 4-0 (President Eisenberg absent) to **UPHOLD** the department and **GRANT** the permits.

**SPEAKERS:** Natalia Ely and Erika Rosenthal, appellants; Robert Passmore, Zoning Administrator for Department of City Planning; Rolf Busch, permit holder; David Waugh and Edward Healey, in favor of the project.

**APPEAL NO. 92-201**

(8) JACK RAFFERTY, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on [October 19, 1992, to Mr. [& Mrs. William Griscom, [permit to Alter a Building [at 1715 - 33rd Avenue. [APPLICATION NO. 9017172S. [FOR HEARING TODAY.

**ACTION:** After discussion, upon motion by Commissioner Alba, the Board voted 4-0 to **UPHOLD** the department and **GRANT** the permit.

**SPEAKERS:** Jack and Lin Rafferty, appellants; Robert Passmore, Zoning Administrator for Department of City Planning; Frances Carcione, George Malacos, Grace Lewin, in opposition to the project; William Griscom, permit holder; Robert Dixon, in favor of the project; and Gordon Crespo, architect for permit holder.

(9) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKERS:** None.

There being no further business, Vice President Bradstreet adjourned the meeting at 8:38 p.m.

Robert H. Feldman
Executive Director

Transcripts of these hearings may be obtained directly from Doris Levine, the Official Court Reporter, (415) 456-9899.

SF
B30
#3
12/16/92

SF

# MINUTES OF THE MEETING OF THE BOARD OF PERMIT APPEALS WEDNESDAY, DECEMBER 16, 1992 5:30 P.M., ROOM 282, CITY HALL

DOCUMENTS DEPT.
DEC 24 1992
SAN FRANCISCO
PUBLIC LIBRARY

**PRESENT:** President Neil Eisenberg, Vice President Angela Bradstreet, Commissioners Ike Felzer and Wayne Alba.

Robert Passmore, Zoning Administrator for Department of City Planning; Neal Rains, Assistant Superintendent for Construction Inspection, Department of Public Works; and Robert Feldman, Executive Director for the Board.

Doris Levine, Official Court Reporter.

**ABSENT:** Commissioner Juanita Owens.

(1) Informational presentation by Lawrence Doane, F.A.I.A., architect, on design review of office buildings.

(2) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKER:** John Bardis on 401 - 411 Irving Street. Appellant and permit holder came to ISAC meeting and explained the stipulated conditions.

(3) **MATTERS FOR CONSIDERATION, REQUESTS FOR REHEARING AND OTHER CORRESPONDENCE:**

**REQUEST FOR JURISDICTION BEYOND FIFTEEN-DAY APPEAL PERIOD:**

**ITEM A:** Letter from David and Cecilia Chan requesting that the Board take jurisdiction over penalty imposed for Electrical Permit No. 108306 for work done at 350 Bay Street.

| | |
|---|---|
| Date penalty imposed | October 20, 1992 |
| Appeal period ended | November 4, 1992 |
| Request for jurisdiction | December 4, 1992 |

**ACTION:** After discussion, upon motion by Commissioner Alba, the Board voted 4-0 to **GRANT** the request for jurisdiction. Mr. and Mrs. Chan have 15 days to file an appeal.

APPEAL NO. 92-210

(4) BAY AREA LONGSHORMEN'S MEMORIAL ASSN., Appellant vs. SAN FRANCISCO POLICE DEPARTMENT, Respondent

[Revocation on October 20, 1992, [of Place of Entertainment [permit at 301 Beach Street. [FOR HEARING TODAY.

ACTION: After discussion, upon motion by President Eisenberg, the Board voted 4-0 to OVERRULE the department and REINSTATE the permit.

SPEAKERS: Frank Cresci, appellant; Jeffrey Barker, attorney and Sergeant Stephen Tacchini for S.F.P.D.; and George Romero, president of Local 10, for appellant.

APPEAL NO. 92-211

(5) MARK ZIMMELMAN, Appellant vs. SAN FRANCISCO POLICE DEPARTMENT, Respondent

[Revocation on October 19, 1992, [of Second Hand Dealer-State [permit at 210 Post Street. [FOR HEARING TODAY.

ACTION: After discussion, upon motion by Vice President Bradstreet, the Board voted 4-0 to UPHOLD the department and REVOKE the permit.

SPEAKERS: Joseph O'Sullivan, attorney for appellant; Jeffrey Barker, attorney and Sergeant Gudelj, for S.F.P.D.

APPEAL NO. 92-213

(6) TOURAJ TEHRANY, dba "YAHA", Appellant vs. SAN FRANCISCO POLICE DEPARTMENT, Respondent

[Revocation on October 20, 1992, [of Place of Entertainment [permit at 517 Clement Street. [FOR HEARING TODAY.

ACTION: Upon motion by President Eisenberg, the Board voted 4-0 to UPHOLD the department and REVOKE the permit. The appellant did not appear.

**The Board recessed from 7:06 to 7:20 p.m.**

APPEAL NO. 92-212

(7) TING MAN LO, Appellant vs. DEPT. PUBLIC WORKS, Respondent CITY PLANNING APPROVAL

[Imposition of Penalty on [November 3, 1992, for work [done at 62 Madrone Avenue. [APPLICATION NO. 9215019. [FOR HEARING TODAY.

ACTION: After discussion, upon motion by President Eisenberg, the Board voted 4-0 to OVERRULE the department with the CONDITION that the penalty be reduced to two times the regular fee for work totalling $3,000.00.

SPEAKERS: Neal Rains, Assistant Superintendent for Construction Inspection.

APPEAL NO. 92-209

(8) APARACION D. BONPIN, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Imposition of Penalty on
[October 28, 1992, for work
[done at 787 Cayuga Avenue.
[APPLICATION NO. 9209225.
[FOR HEARING TODAY.

ACTION: After discussion, upon motion by President Eisenberg, the Board voted 4-0 to OVERRULE the department with the CONDITION that the penalty be reduced to two times the regular fee of $96.85 for a total of $193.70.

SPEAKER: Neal Rains, Assistant Superintendent for Construction Inspection.

APPEAL NO. 92-214

(9) SARAH CARNOCHAN, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Imposition of Penalty on
[November 5, 1992, for work
[done at 665 - 29th Street.
[APPLICATION NO. 9213617.
[FOR HEARING TODAY.

ACTION: After discussion, upon motion by President Eisenberg, the Board voted 4-0 to OVERRULE the department with the CONDITION that the penalty be reduced to two times the minimum regular fee.

SPEAKERS: Alex Schwed, general contractor for appellant; Neal Rains, Assistant Superintendent for Construction Inspection, Department of Public Works.

APPEAL NO. 92-215

(10) PO YONG HUANG, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Appealing for Refund of
[Penalty on November 5,
[1992, for work done at
[888 Brannan Street.
[ELEC. PERMIT NO. E15495.
[FOR HEARING TODAY.

ACTION: After discussion, upon motion by Commissioner Alba, the Board voted 3-1 (Commissioner Felzer dissented) to UPHOLD the department and SUSTAIN the full penalty.

SPEAKERS: Po Yong Huang, appellant; and David Green, Electrical Inspector for Department of Public Works.

APPEAL NO. 92-208

(11) LEVI STRAUSS & COMPANY, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on
[October 19, 1992, to Lee
[Mah Property, Inc., permit
[to Alter a Building at
[1090 Sansome Street.
[APPLICATION NO. 9209807.
[FOR HEARING TODAY.

ACTION: WITHDRAWN prior to hearing by letter from D. Christopher Loye dated December 4, 1992, delivered to Room 282 by Ed Hardin.

APPEAL NO. 92-217

(12) ARDEN VAN UPP, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on
[October 23, 1992, to John
[McInerney, to Demolish a
[Building at 2149 Broadway St.
[APPLICATION NO. 9206992.
[FOR HEARING TODAY.

ACTION: After discussion, upon motion by Commissioner Alba, the Board voted 4-0 to UPHOLD the department and GRANT the permit with findings by President Eisenberg and Commissioner Alba.

SPEAKERS: Arden Van Upp, appellant; Alice Barkley, attorney for permit holder; Robert Passmore, Zoning Administrator for Department of City Planning; and Dr. Jeff Arbeit, in opposition to the project.

(13) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

SPEAKERS: President Eisenberg and the Board wished Edith McMillan a Happy Holiday Season and Ms. McMillan thanked the Board for its efforts on behalf of neighborhoods and herself.

There being no further business, President Eisenberg adjourned the meeting at 8:13 p.m.

Robert H. Feldman
Executive Director

Transcripts of these hearings may be obtained directly from Doris Levine, the Official Court Reporter, (415) 456-9899.

SF
P30
#3
12/16/92
c.2

SF

# MINUTES OF THE MEETING OF THE BOARD OF PERMIT APPEALS WEDNESDAY, DECEMBER 16, 1992 5:30 P.M., ROOM 282, CITY HALL

DOCUMENTS DEPT.
DEC 24 1992
SAN FRANCISCO
PUBLIC LIBRARY

**PRESENT:** President Neil Eisenberg, Vice President Angela Bradstreet, Commissioners Ike Felzer and Wayne Alba.

Robert Passmore, Zoning Administrator for Department of City Planning; Neal Rains, Assistant Superintendent for Construction Inspection, Department of Public Works; and Robert Feldman, Executive Director for the Board.

Doris Levine, Official Court Reporter.

**ABSENT:** Commissioner Juanita Owens.

(1) Informational presentation by Lawrence Doane, F.A.I.A., architect, on design review of office buildings.

(2) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

**SPEAKER:** John Bardis on 401 - 411 Irving Street. Appellant and permit holder came to ISAC meeting and explained the stipulated conditions.

(3) **MATTERS FOR CONSIDERATION, REQUESTS FOR REHEARING AND OTHER CORRESPONDENCE:**

**REQUEST FOR JURISDICTION BEYOND FIFTEEN-DAY APPEAL PERIOD:**

**ITEM A:** Letter from David and Cecilia Chan requesting that the Board take jurisdiction over penalty imposed for Electrical Permit No. 108306 for work done at 350 Bay Street.

| | |
|---|---|
| Date penalty imposed | October 20, 1992 |
| Appeal period ended | November 4, 1992 |
| Request for jurisdiction | December 4, 1992 |

**ACTION:** After discussion, upon motion by Commissioner Alba, the Board voted 4-0 to **GRANT** the request for jurisdiction. Mr. and Mrs. Chan have 15 days to file an appeal.

APPEAL NO. 92-210

(4) BAY AREA LONGSHORMEN'S MEMORIAL ASSN., Appellant vs. SAN FRANCISCO POLICE DEPARTMENT, Respondent

[Revocation on October 20, 1992, [of Place of Entertainment [permit at 301 Beach Street. [FOR HEARING TODAY.

ACTION: After discussion, upon motion by President Eisenberg, the Board voted 4-0 to OVERRULE the department and REINSTATE the permit.

SPEAKERS: Frank Cresci, appellant; Jeffrey Barker, attorney and Sergeant Stephen Tacchini for S.F.P.D.; and George Romero, president of Local 10, for appellant.

APPEAL NO. 92-211

(5) MARK ZIMMELMAN, Appellant vs. SAN FRANCISCO POLICE DEPARTMENT, Respondent

[Revocation on October 19, 1992, [of Second Hand Dealer-State [permit at 210 Post Street. [FOR HEARING TODAY.

ACTION: After discussion, upon motion by Vice President Bradstreet, the Board voted 4-0 to UPHOLD the department and REVOKE the permit.

SPEAKERS: Joseph O'Sullivan, attorney for appellant; Jeffrey Barker, attorney and Sergeant Gudelj, for S.F.P.D.

APPEAL NO. 92-213

(6) TOURAJ TEHRANY, dba "YAHA", Appellant vs. SAN FRANCISCO POLICE DEPARTMENT, Respondent

[Revocation on October 20, 1992, [of Place of Entertainment [permit at 517 Clement Street. [FOR HEARING TODAY.

ACTION: Upon motion by President Eisenberg, the Board voted 4-0 to UPHOLD the department and REVOKE the permit. The appellant did not appear.

**The Board recessed from 7:06 to 7:20 p.m.**

APPEAL NO. 92-212

(7) TING MAN LO, Appellant vs. DEPT. PUBLIC WORKS, Respondent CITY PLANNING APPROVAL

[Imposition of Penalty on [November 3, 1992, for work [done at 62 Madrone Avenue. [APPLICATION NO. 9215019. [FOR HEARING TODAY.

ACTION: After discussion, upon motion by President Eisenberg, the Board voted 4-0 to OVERRULE the department with the CONDITION that the penalty be reduced to two times the regular fee for work totalling $3,000.00.

SPEAKERS: Neal Rains, Assistant Superintendent for Construction Inspection.

APPEAL NO. 92-209

(8) APARACION D. BONPIN, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Imposition of Penalty on
[October 28, 1992, for work
[done at 787 Cayuga Avenue.
[APPLICATION NO. 9209225.
[FOR HEARING TODAY.

ACTION: After discussion, upon motion by President Eisenberg, the Board voted 4-0 to OVERRULE the department with the CONDITION that the penalty be reduced to two times the regular fee of $96.85 for a total of $193.70.

SPEAKER: Neal Rains, Assistant Superintendent for Construction Inspection.

APPEAL NO. 92-214

(9) SARAH CARNOCHAN, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Imposition of Penalty on
[November 5, 1992, for work
[done at 665 - 29th Street.
[APPLICATION NO. 9213617.
[FOR HEARING TODAY.

ACTION: After discussion, upon motion by President Eisenberg, the Board voted 4-0 to OVERRULE the department with the CONDITION that the penalty be reduced to two times the minimum regular fee.

SPEAKERS: Alex Schwed, general contractor for appellant; Neal Rains, Assistant Superintendent for Construction Inspection, Department of Public Works.

APPEAL NO. 92-215

(10) PO YONG HUANG, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent

[Appealing for Refund of
[Penalty on November 5,
[1992, for work done at
[888 Brannan Street.
[ELEC. PERMIT NO. E15495.
[FOR HEARING TODAY.

ACTION: After discussion, upon motion by Commissioner Alba, the Board voted 3-1 (Commissioner Felzer dissented) to UPHOLD the department and SUSTAIN the full penalty.

SPEAKERS: Po Yong Huang, appellant; and David Green, Electrical Inspector for Department of Public Works.

APPEAL NO. 92-208

(11) LEVI STRAUSS & COMPANY, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on
[October 19, 1992, to Lee
[Mah Property, Inc., permit
[to Alter a Building at
[1090 Sansome Street.
[APPLICATION NO. 9209807.
[FOR HEARING TODAY.

ACTION: WITHDRAWN prior to hearing by letter from D. Christopher Loye dated December 4, 1992, delivered to Room 282 by Ed Hardin.

APPEAL NO. 92-217

(12) ARDEN VAN UPP, Appellant
vs.
DEPT. PUBLIC WORKS, Respondent
CITY PLANNING APPROVAL

[Protesting issuance on
[October 23, 1992, to John
[McInerney, to Demolish a
[Building at 2149 Broadway St.
[APPLICATION NO. 9206992.
[FOR HEARING TODAY.

ACTION: After discussion, upon motion by Commissioner Alba, the Board voted 4-0 to UPHOLD the department and GRANT the permit with findings by President Eisenberg and Commissioner Alba.

SPEAKERS: Arden Van Upp, appellant; Alice Barkley, attorney for permit holder; Robert Passmore, Zoning Administrator for Department of City Planning; and Dr. Jeff Arbeit, in opposition to the project.

(13) **Public Comment:** Presentation shall be limited to three (3) minutes for each speaker.

SPEAKERS: President Eisenberg and the Board wished Edith McMillan a Happy Holiday Season and Ms. McMillan thanked the Board for its efforts on behalf of neighborhoods and herself.

There being no further business, President Eisenberg adjourned the meeting at 8:13 p.m.

Robert H. Feldman
Executive Director

Transcripts of these hearings may be obtained directly from Doris Levine, the Official Court Reporter, (415) 456-9899.